

EXHIBIT D

CITY OF BEND PLANNING DEPARTMENT STAFF RECOMMENDATION TO THE PLANNING COMMISSION



PROJECT NUMBER: PZ-18-0252 (Master Plan)
PZ-18-0253 (Comprehensive Plan Map
Amendment, Rezone & TSP Amendment)

COMMUNITY
DEVELOPMENT

REPORT DATE: July 2, 2018

PUBLIC HEARING DATE: July 9, 2018

APPLICANT: Bend-La Pine Schools
c/o Sharon R. Smith
520 NW Wall Street
Bend, OR 97703

OWNER: JL Ward Co.

LOCATION: 60925 SE 15th Street; Tax Lot 100 of Deschutes County Assessor Map 18-12-16. The property subject to a zone change/plan amendment for transfer of the RH and RM density is 61151 SE 15th Street (Tax Lot 1812160000108; the "Ward Transfer Property")

REQUEST: An Institutional Master Plan Approval for a High School, Middle School, and a blended High School/Middle School Program (PZ-18-0252); a Quasi-Judicial Amendment to adopt Master Plan text into BDC Chapter 2.7; a Comprehensive Plan Amendment and Zone Change from RM and RH to RS, and a transfer of the RM and RH zones to another site; and a Transportation System Plan Amendment to remove a planned parallel collector street on the site (PZ-18-0253).

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APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

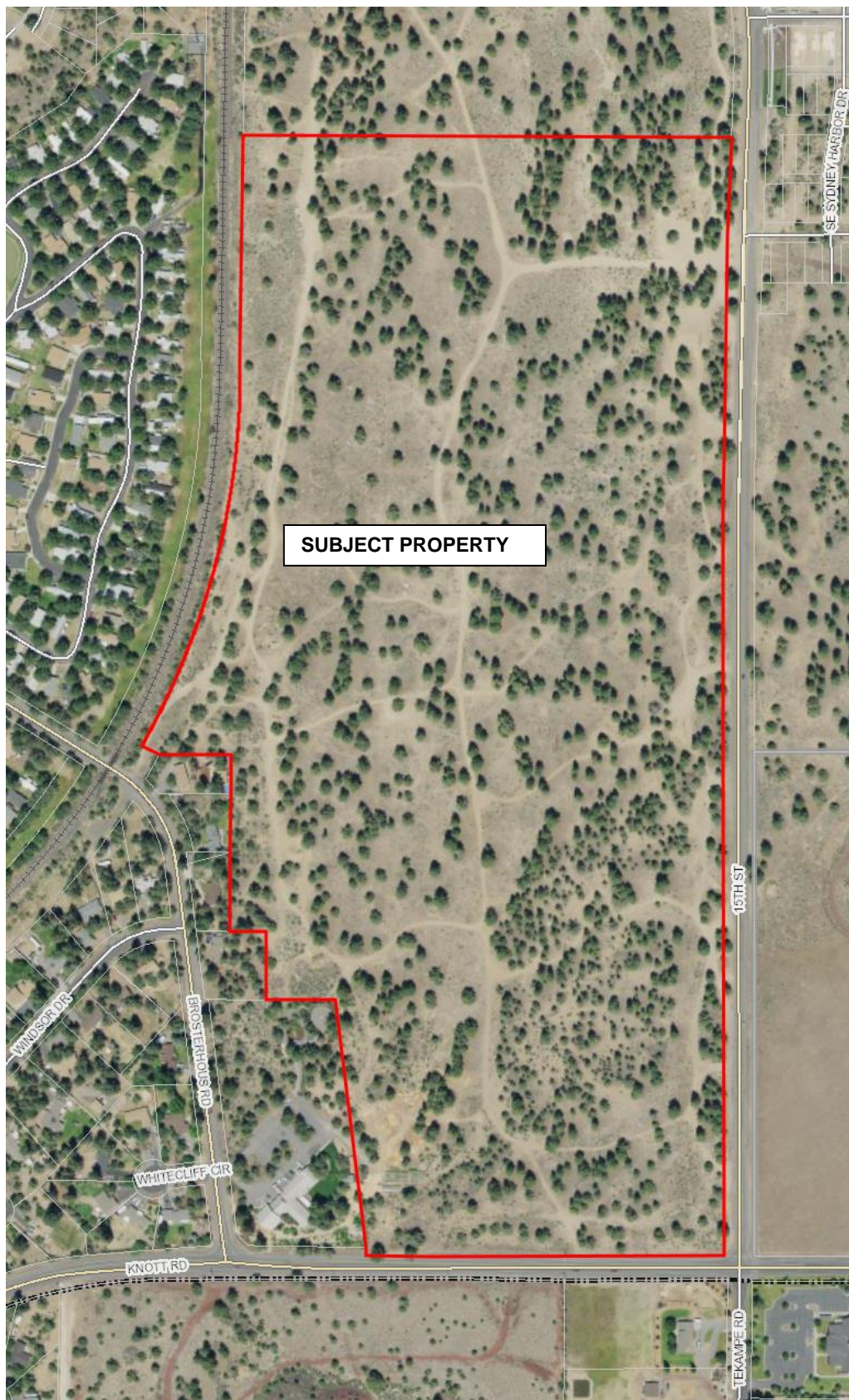
(1) City of Bend Development Code

- (a) Chapter 2.1, Residential Zoning Districts
- (b) Chapter 2.2, Commercial Zoning Districts

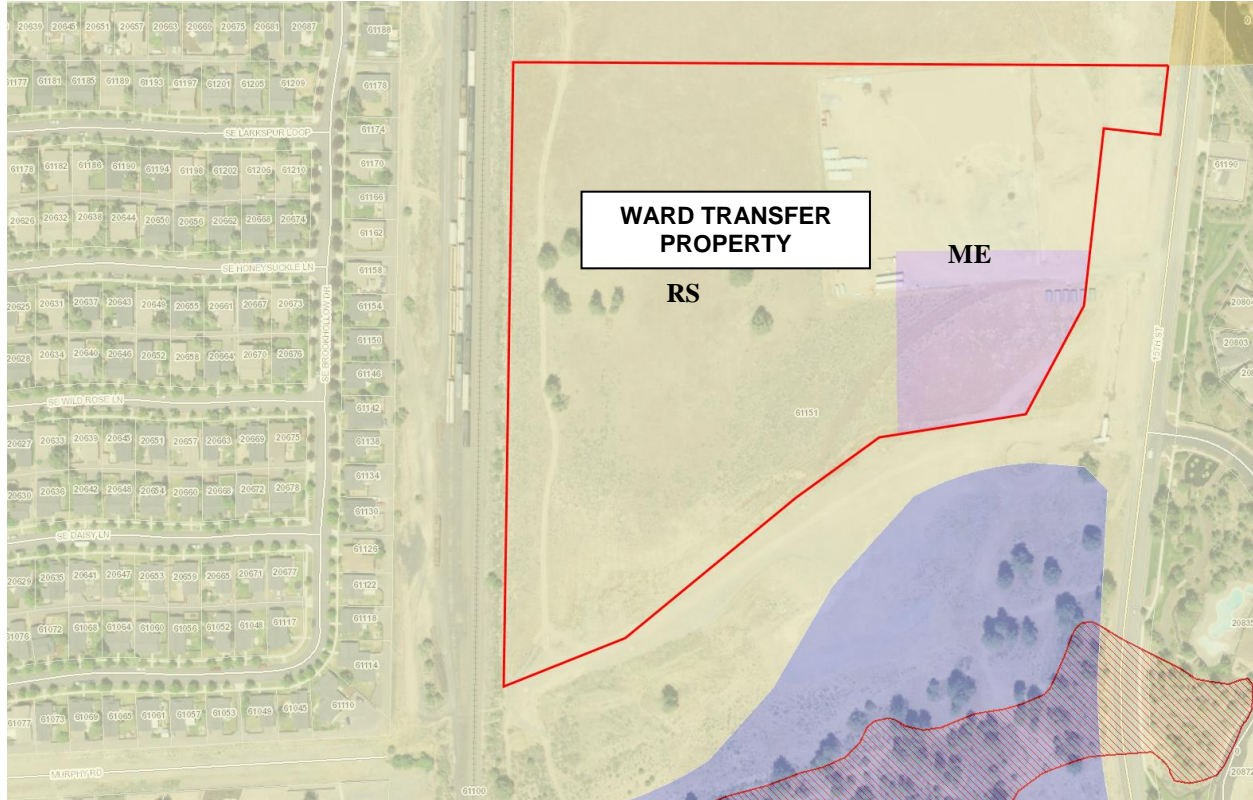
- (c) Chapter 2.3, Mixed-Use Zoning Districts
 - (d) Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation
 - (e) Chapter 3.2, Landscaping, Street Trees, Fences and Walls
 - (f) Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking
 - (g) Chapter 3.4, Public Improvement Standards
 - (h) Chapter 3.5, Other Design Standards
 - (i) Chapter 4.1, Development Review and Procedures
 - (j) Chapter 4.5, Master Planning and Development Services
 - (k) Chapter 4.6, Land Use District Map and Text Amendments
 - (l) Chapter 4.7, Transportation Analysis
 - (m) Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan
- (2) Bend Comprehensive Plan
 - (3) Oregon Administrative Rules
 - (a) Chapter 660-012-0060, Plan and Land Use Regulation Amendments
 - (b) Chapter 660-015-0000, Statewide Planning Goals and Guidelines

FINDINGS OF FACT:

1. **LOCATION:** The subject property that will be subject to the master plan is located on Deschutes County Assessor's Tax Map 1812160000100, Deschutes County, Oregon (the "Master Plan Property"). The address of the Master Plan Property is 60925 15th Street Bend, Oregon 97702.



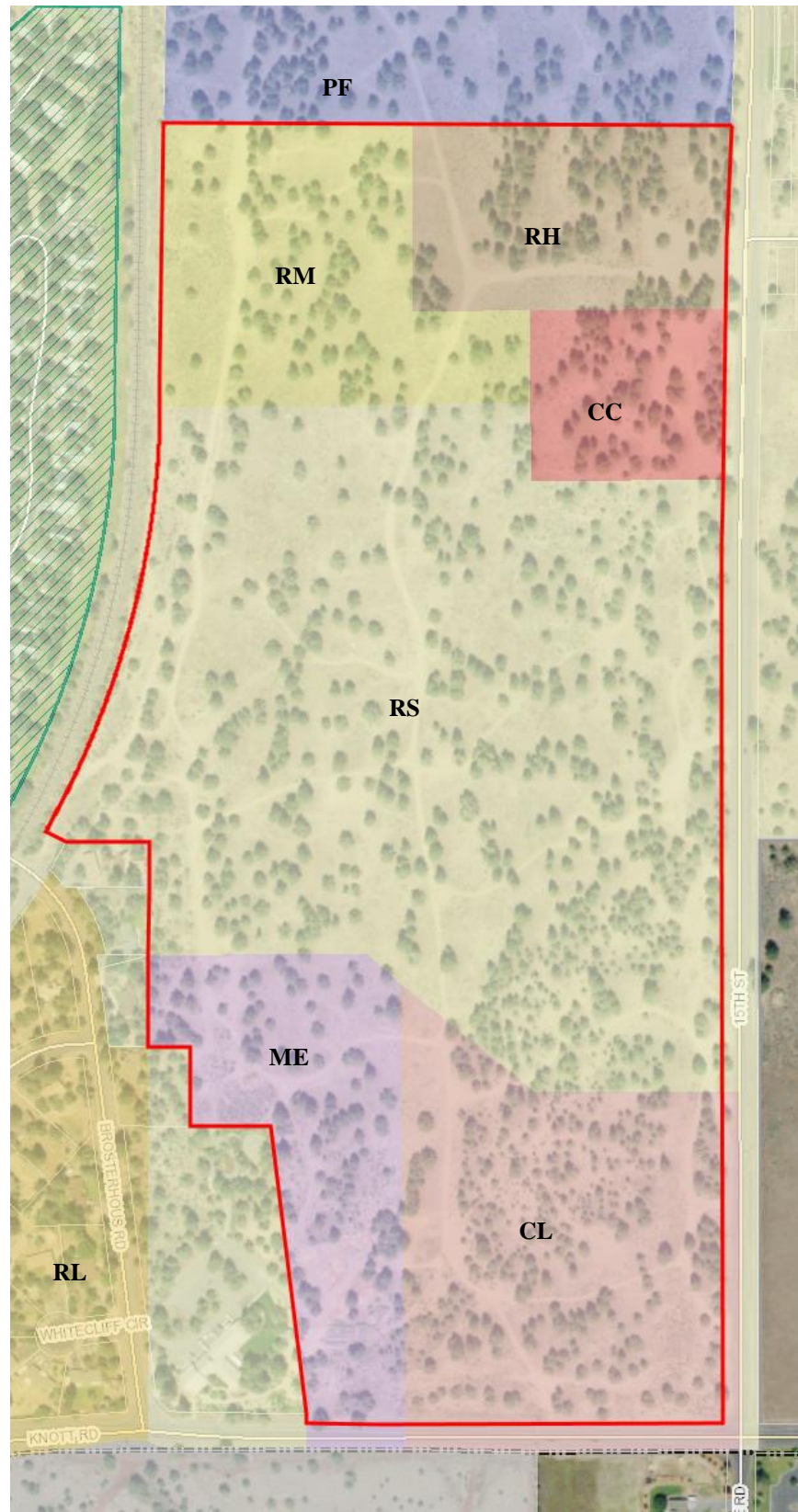
The property subject to a zone change/plan amendment for transfer of the RH and RM density is 61151 SE 15th Street, or Tax Lot 1812160000108 (the “Ward Transfer Property”).



- 2. EXISTING ZONING & GENERAL PLAN DESIGNATION:** The subject property includes several different zoning designations, which are the same as the Comprehensive Plan Map designations. The central portion of the site is zoned/designated Standard Density Residential (RS), the southeastern portion is zoned/designated Limited Commercial (CL), the southwestern portion is zoned Mixed Employment (ME), and the northeastern portion is zoned/designated High Density Residential (RH) and Convenience Commercial (CC). The Comprehensive Plan Map Amendment/Rezone application (PZ-18-0253) requests transferring the RM and RH density to another property (“Ward Transfer Property” noted above), which is north of Alpenglow Park and Murphy Road but still within the same Opportunity Area (“15th Street Ward Property”).

The property to the east across 15th Street and west across the railroad is zoned/designated Standard Density Residential (RS), Alpenglow Park to the north is zoned/designated Public Facilities (PF) and properties to the west not abutting the subject property are zoned/designated Low Density Residential (RL). The property to the east across 15th Street for the southern half of the property is outside of the city limits and therefore is not zoned, but is within the Urban Growth Boundary (UGB) and designated Standard Density Residential (RS) and General Commercial (GC). The property to the south across Knott Road is not within the City limits or within the UGB.

Existing Zoning Map and Comprehensive Plan Map



- 3. SITE DESCRIPTION & SURROUNDING USES:** The Master Plan Property is approximately 79.4 acres and is located west of 15th street and north of Knott Road. The site is undeveloped and has a mix of juniper and ponderosa pine trees along with natural/native vegetation. There is a slight elevated area in the south. There are no mapped Areas of Significant Interest (ASI).

To the east of the subject property across 15th Street is undeveloped land, to the north is the new Alpenglow Park, to the west is the railroad track and across the track is a manufactured home park, to the southwest is the Nativity Lutheran Church and Brosterhouse Road. Knott Road to the south is the city limits. South of Knott Road (southeast of the subject property) is a mix of rural residential development, including the LDS Church. The Ward Property is located north of the planned Alpenglow Park. There are residential developments to the north and east of the Ward Property.

- 4. PROPOSAL:** Type III application to amend the Bend Development Code to adopt the 15th Street School Institutional Master Plan encompassing approximately 80 acres, a Comprehensive Plan Map Amendment and Rezone from RM and RH to RS with a concurrent density transfer to an offsite property, and a Transportation System Plan Amendment to remove a collector street between 15th Street and Brosterhouse Road.
- 5. BACKGROUND:** In 2016, the District conducted a siting study to evaluate locations for future school sites to meet anticipated needs (the “2016 Sites and Facilities Plan”). The Sites and Facilities Plan identified the need for a High School in the SE area of the City, and the school bond passed with nearly 60% approval. Although the District owns land in the vicinity at 20550 Murphy Rd, Bend, Oregon 97702, across from the Bend Golf and Country Club, the District has concerns regarding the impact the railroad might have on transportation. The road access to the Country Club Site is via Murphy Road or Knott Road to Country Club Drive. The railroad crosses Country Club Drive and there is the potential that trains would block access to Knott Road several times per day. That could reduce access to the High School to only Murphy Road.

In addition, the recent UGB expansion directs much of the future growth to the southeast. As the southeast area develops, it is anticipated that many students will reside in the southeast and placing the high school further east will be a better location. Finally, there are educational benefits to locate High School and Middle School programs close together. The schools can share field and parking. Middle school students can access high school curriculum when appropriate. For these reasons, the School District reached out to the JL Ward Co, to acquire property for the new high school and a future middle school at 15th Street and Knott Road (15th Street Site).

- 6. PUBLIC NOTICE AND COMMENTS:** The applicant held a neighborhood public meeting on January 31, 2018. Notice of this meeting was sent by the applicant to all

property owners within 500 feet of the subject property boundary, as well as to the land use representative of the Southeast Bend Neighborhood Association. The applicant provided the public comments that were submitted at that meeting.

On June 8, 2018, the City mailed a public hearing notice to property owners within 250 feet of the subject property, and the land use representative of the Southeast Bend Neighborhood Association. As of the date of this staff report, the Bend Planning Division received 5 public comments. Two individuals, the adjacent church and OSU-Cascades wrote emails/letters in support of the project and another individual expressed concern that the proposed single-lane roundabout at Knott Road and 15th would be undersized.

The Central Oregon Irrigation District submitted a short note indicating the presence of the Central Oregon Canal north of the Ward Transfer property; no concerns were raised. City staff and the applicant met with the Land Use Chair of the Southeast Bend Neighborhood Association to discuss transportation improvements and pedestrian connectivity in the vicinity of the site.

7. **LOT OF RECORD:** The Master Plan Property is a legal lot of record pursuant to Property Line Adjustment PZ-14-0639 recorded as CS18839.
8. **APPLICATION ACCEPTANCE DATE:** This Institutional Master Plan application and this Comprehensive Plan Map Amendment/Rezone/TSP Amendment application were submitted on March 27, 2018 and accepted as complete on May 30, 2018 when application fees were paid. Per BDC 4.1.430.C.6, major master plans and concurrent Comprehensive Plan/zone/TSP changes are exempt from the 120-day time limit for final action. A final decision on this application will be governed by BDC 4.5.100.D.

APPLICATION OF THE CRITERIA:

CONFORMANCE WITH CITY OF BEND DEVELOPMENT CODE

4.5.300 Institutional Master Plan

- B. **Applicable Standards and Criteria.** There are three categories of Master Plans (Community Master Plan, Institutional Master Plan, and Employment Master Plan) each with a distinct set of standards and criteria. The determination of Master Plan category will be made by the City based on the most prominent use(s) proposed by the Master Plan or development proposal. Each Master Plan or development proposal must only fall into one Master Plan category and only the standards and criteria applicable to the category of Master Plan determined by the City are applicable to a proposed Master Plan or development proposal.

FINDING: BDC 4.5.300.B requires an Institutional Master Plan for any property or combination of adjacent properties under common ownership for an institution of 20

acres or greater. In accordance with BDC 4.5.300.B, this application includes a proposed Institutional Master Plan for the Bend-LaPine School District (BLS) 15th Street School Site, an educational institution greater than 20 acres in size. "Institution means a building or group of buildings or structures that are under common or related ownership that provide services including but not limited to public, educational, correctional and medical" (BDC 1.2). Therefore, the proposed BLS 15th Street School Master Plan review will be based on the standards and criteria applicable to an Institutional Master Plan, which are addressed below.

C. Uses. The uses are the same as those permitted within the zoning district except as follows;

- 1. Density transfers may be permitted as part of a Major Community Master Plan 20 acres or larger, or as part of a Major Employment or Major Institutional Master Plan in an Opportunity Area that is 20 acres or larger; however, the density must comply with the density standards in 4.5.200.E.3;**

FINDING: The Bend-LaPine School District is proposing a density transfer of 9.12 acres of RM property and 6.55 acres of RH property to the Ward Transfer Property north of Alpenglow Park. In addition, 19.19 acres of RS density will be transferred to the undeveloped property west of Jewell Elementary (Tax Lot 181216B000100), which was not originally calculated as residential development in the Buildable Lands Inventory associated with the recent Comprehensive Plan Update. The density transfer is addressed in findings below.

4.5.200.E. Standards and Regulations. Minor and major community master plans must comply with the following standards:

- 3. Housing Density and Mix. Community master plans 20 acres or larger must provide a mix of housing types and achieve minimum housing densities in conformance with the standards of subsections (E)(3)(a) and (b) of this section. To the extent that the Bend Comprehensive Plan Chapter 11, Growth Management, proposes a different mix of housing and/or density standards in the specific expansion area policies, then those policies apply.**
 - a. Density Calculations and Exceptions. Minimum and maximum densities must be calculated in conformance with BDC 2.1.600(C), except as follows:**
 - i. Public and Institutional Uses and Miscellaneous Uses in Opportunity Areas. In opportunity areas as shown in the Bend Comprehensive Plan Figure 11-1, a maximum of 20 acres of residential designated land proposed for public and institutional uses and miscellaneous uses (BDC Table 2.1.200) may be excluded from the density calculation and housing mix. The**

density for the 20 acres must be taken from the residential designation with the lowest maximum density standard in the opportunity area. The master plan must provide the density and housing mix for the residential designated property in excess of 20 acres. No more than 20 acres may be exempted from the density and housing mix in an opportunity area;

...

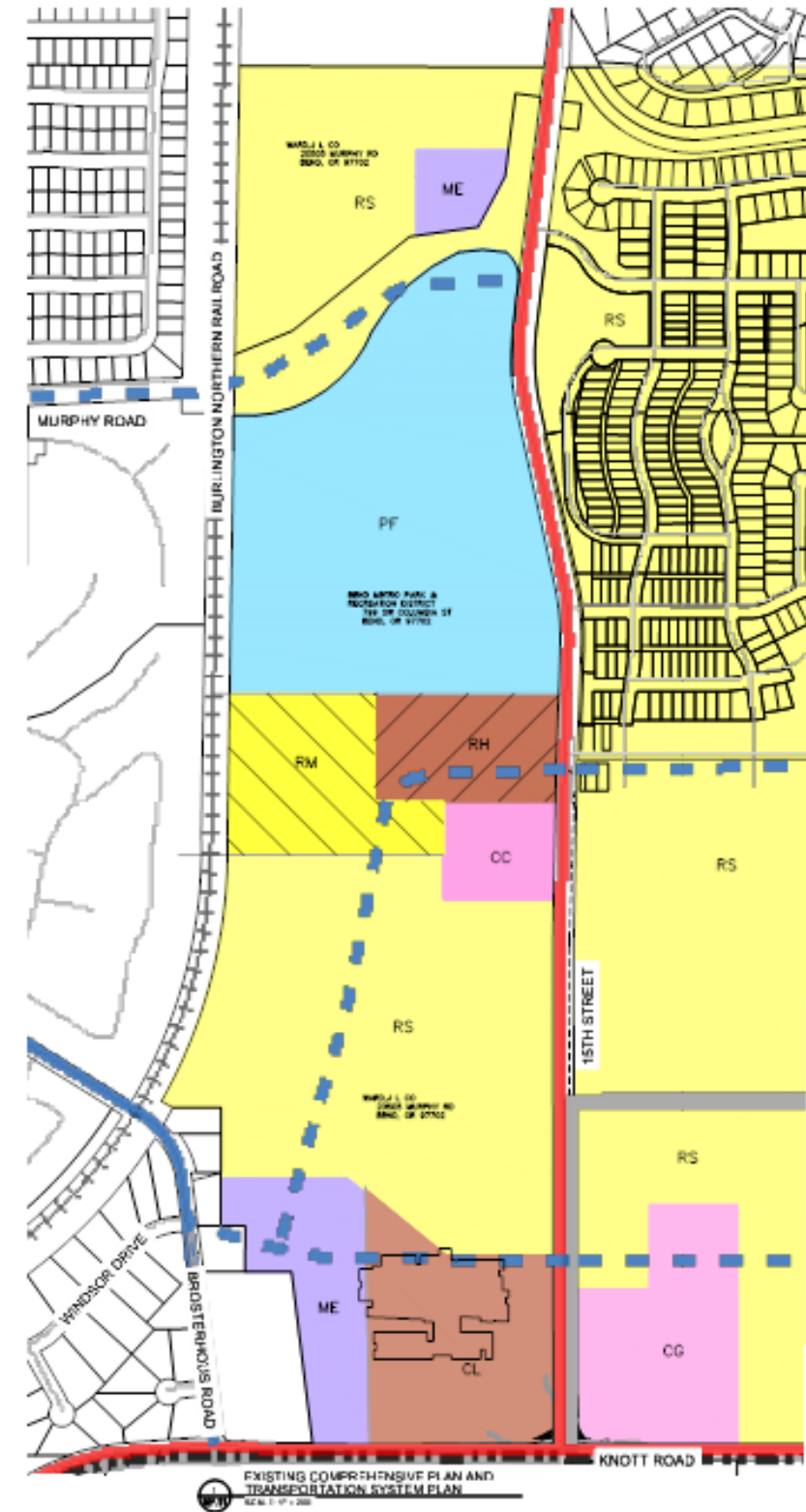
4.5.200.E.3.v.(B) Density and housing mix transfers are permitted for major master plans that are 20 acres or larger in an opportunity area as follows:

- (1) The density and housing mix required for RS, RM and RH plan designated areas may be transferred within the opportunity area; and
- (2) The density and housing mix required for RS plan designated areas may be transferred within a walking or biking distance not greater than one mile from the boundary of the opportunity area on existing travel routes (multimodal street or designated multi-use pathway) or any planned travel route shown within the Transportation System Plan. If the density and housing mix for the RS plan designation is transferred to a property not contemplated for residential development under the Comprehensive Plan (i.e., publicly owned properties with a residential plan designation that were not considered available for residential development under the Buildable Lands Inventory), then the receiving property need only provide the number of housing units transferred or the minimum RS density standards, whichever is greater.
 - (a) As a condition to approval of any density and housing mix transfer to one or more receiving properties pursuant to this section, the owner(s) of the receiving property(ies) must enter into a written agreement in a form acceptable to the City that will be binding upon the parties to the agreement and all successors in interest and that will run with the land. The agreement must specify the number of dwelling units and housing mix for the RS plan designated areas to be transferred (the stated density may not exceed the maximum permitted density of the Comprehensive Plan designation of the receiving property(ies)). After endorsement of the agreement by the City, the fully executed agreement must be recorded in the Deschutes County Official Records. The agreement's execution and recordation must take place prior to final master plan approval for the transferring property.

FINDING: The Applicant proposes to transfer the High Density Residential (6.55 acres) and Medium Density Residential (9.12 acres) zoned land to the Ward Transfer Property

north of PZ-zoned Alpenglow Park (Tax Lot 1812160000108), which is within the same 15th Street Opportunity Area of the Bend Comprehensive Plan.

EXISTING ZONING/DESIGNATIONS AND TSP ALIGNMENTS



The map displays the following features:

- Land Use Zones:** RS (Residential Single-Family), RH (Residential High-Density), RM (Residential Medium-Density), ME (Medium-Density Employment), PF (Public Facility), CC (Community Center), CL (Community Living), and CG (Community Group).
- Transportation Features:** Burlington Northern Rail Road, Murphy Road, Windsor Drive, Broderhous Road, Collector Road, 15th Street, and Knott Road.
- Key Locations:** BIO-METRO PARK & RECREATION DISTRICT 100 W. COLUMBIA ST. BURLINGTON, NC 27603.
- Map Scale:** 1" = 1/4" Mile.

As noted above, “The master plan must provide the density and housing mix for the residential designated property in excess of 20 acres”. The master plan property includes 39.19 acres of RS zoned property. Therefore, the density for a portion of the RS zoned land (19.19 acres) will be transferred to property not contemplated for residential development under the City’s Buildable Lands Inventory along a planned travel route shown within the Transportation System Plan of less than a mile to other land, as shown on Exhibit MP.11. Accordingly, 20 acres of the RS zoned land will remain on the Master Plan Property and 19.19 acres of the RS density will be transferred to 181216B000100 (currently part of the Jewell Elementary School site, which will be transferred to the JL Ward Co).



2. Uses not permitted in the zoning district may be allowed when consistent with the Bend Comprehensive Plan Designation’s Characteristics; and

FINDING: Bend-LaPine School District is seeking approval of an Institutional Master Plan for an educational institution exceeding 20 acres. As noted above, the site is comprised of multiple zones (RS, RM, RH, CC, CL, and ME). A school is a permitted use in the residential districts with a master plan, and an outright permitted use in the CC, CL and ME zones. Only uses allowed by these zones are proposed.

3. Private recreational facilities and private open space areas in compliance with BDC 4.5.200.E.4 are permitted as part of a Community Master Plan.

FINDING: The application is for an institutional master plan; this subsection does not apply.

D. Consistency with ORS 227.178. A Major Master Plan is an amendment to an acknowledged Comprehensive Plan and/or land use regulation and is therefore not subject to the 120-day review period under ORS 227.178. The City will use all reasonable resources to render a final decision on all Major Master Plans within 180 days of receiving a complete application. Approval or denial of the Major Master Plan application will be based on the standards and criteria at the time the Major Master Plan was first submitted to the City.

FINDING: The City will not process the application as a zone change, limited land use decision or a permit subject to the 120-day rule set forth in ORS 227.178 due to the fact that the Master Plan will include the adoption of elements of the Master Plan text into BDC Chapter 2.7 as required by BDC 4.5.300(C)(2) so is exempt from the 120-day rule under ORS 227.178(7).

E. Submittal Requirements. The following information must be submitted as deemed applicable by the Development Services Director based on the size, scale, and complexity of the Master Plan.

1. Existing Conditions Submittal Requirements.

a. Narrative statement that describes the following:

i. Current uses.

ii. Site description, including the following items. May also reference submitted maps, diagrams or photographs.

- (A) Physical characteristics;**
- (B) Building inventory including size and height;**
- (C) Vehicle/bicycle parking, and loading areas;**
- (D) Landscaping/usable open space; and**
- (E) Lot coverage.**

iii. Infrastructure facilities and capacity, including the following items.

- (A) Water;**
- (B) Sanitary sewer;**
- (C) Stormwater management; and**
- (D) Easements.**

FINDING: The Applicant has included a narrative of all the above required existing conditions information, as applicable, in the Burden of Proof document of the application.

b. Existing Site Conditions Map.

i. The existing site conditions map must include the following information on-site and within 150 feet of the proposed Master Plan (as applicable):

- (A) The applicant's entire property and the surrounding property. The property boundaries, dimensions and gross area must be identified. Existing aerial photos may be used;
- (B) Ownership of Master Plan area and ownership of all property within 150 feet of the proposed Master Plan;
- (C) Topographic contour lines shown at one-foot intervals for slopes of 10 percent or less. For slopes greater than 10 percent, contour lines must be shown at two-foot intervals. Slopes greater than 25 percent must be identified;
- (D) The location, names, and widths of existing public and private streets, alleys, drives, sidewalks, bike lanes, multi-use paths, transit routes and facilities, rights-of-way, and easements. Existing aerial photos may be used;
- (E) The location of existing irrigation canals and ditches, pipelines, drainage ways, waterways, railroads, and any natural features such as rock outcroppings, wooded areas, and natural hazards. Existing aerial photos may be used;
- (F) The location of existing sanitary and storm sewer lines, water mains, septic facilities, culverts, and other underground and overhead utilities;
- (G) Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
- (H) Resource areas, including wetlands on the City's Local Wetlands Inventory, streams, surface mines, and wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection; and
- (I) Locally or federally designated historic and cultural resources on the site and the adjacent parcels.

ii. The existing site conditions map must include the following information on-site:

- (A) The location of existing structures, parking, loading and service areas, and pavement. Existing aerial photos may be used; and
- (B) The location, size and species of trees and other vegetation having a caliper (diameter) of six inches or greater at four feet above grade.

iii. Date, north arrow, scale, names, and addresses of all persons listed as owners on the most recently recorded deed.

iv. Name, address, email address, and telephone number of project designer, engineer, surveyor, and/or planner, if applicable.

FINDING: The Applicant has included in the master plan application all the above required existing conditions information, as applicable, in Exhibit MP.1 through MP.11 of the application. The City has confirmed that none of the following have been identified on the subject properties, and as such, these are not included in the existing site

conditions mapping: FEMA floodplains, national wetlands inventory, local wetlands inventory, riparian corridors, river areas of special interest, waterway overlay zone, and streams.

2. Proposed Master Plan Submittal Requirements.

a. Narrative that describes the following:

- i. Development boundary subject to proposed Master Plan. May also reference submitted maps or diagrams;**
- ii. Project description;**

FINDING: A project description is provided with the submitted project narrative (Burden of Proof). The details of the 15th Street School Master Plan shown in numerous drawings included on MP.1 through MP.11 and Road Cross Sections, including: buildings, phasing plan, street layout/connectivity, water/sewer plans, conceptual grading, pedestrian/bicycle connectivity, and landscaping/open space. MP.2 depicts the phasing plan and development boundary.

- iii. Description, approximate location, and approximate timing of each proposed phase of development. The phasing plan may be tied to necessary infrastructure improvements. May also reference submitted maps or diagrams;**

FINDING: There are 2 phases. First, the High School is planned for opening fall of 2021. The future Middle School and blended High School/Middle School program is dependent on enrollment growth and passage of a future bond to fund the construction. The earliest date is anticipated to be 2027. There is potential for some parking areas west of the New Collector road or local private street. These parking areas may be constructed with Phase 1, between Phases, or with Phase 2. The second phase is likely to happen between 2027-2032.

- iv. How the proposed water, sewer, and street system will serve the size and type of development and uses planned for this area;**
- v. How the location and sizing of water and sewer facilities on site will be consistent with existing and planned facilities;**
- vi. How water flow volumes will be provided to meet fire flow and domestic demands;**

FINDING: The City's Utility Availability Memo dated March 13, 2018 (SWA 17-6447) was included as part of the application. The water and sewer analysis showed the City has adequate water capacity to serve the Phase 2 site by 2027.

Water: The high school building (Phase 1) is currently located in the Avion Water franchise territory and Avion provided a Will Serve letter, included as part of the application. The middle school and blended program buildings (Phase 2) are located within the City water service area. The existing City 16-inch main in 15th Street will be extended to the intersection with the new collector street in Phase 2. A single domestic and fire service line will be installed to the Phase 2 property, with sizes to be determined by the project's engineer at the time the middle school is developed. A flusher valve will be required at the terminus of the water main's deadend unless the main is looped.

Sewer: The School District submitted a sewer analysis with estimated flows to the City for review, and the City provided a signed SWA Certificate (SWA 17-6447), outlining the mitigation requirements for the proposed master plan. The project will connect to the existing 15-inch gravity main currently located north of the property in SE 15th Street, with a sanitary sewer service to the buildings. A sample manhole will be installed on private property if a commercial kitchen, lab or a use produces any of the prohibited discharges listed in the Bend Code 15.20.025. The applicant will also extend the main south on 15th Street to Knott Road.

Street System: The on-site transportation system is generally depicted on Exhibit MP.4, which shows the new collector through the site to Brosterhous Road, a local street connection to Knott Road and a main entrance onto 15th street. Exhibit MP.9.1 also shows conceptual roadway typical section options. The submitted Transportation Impact Analysis (TIA) demonstrates that the proposed street system is adequate to serve the proposed 15th Street Master Plan Site, with the conditions set forth in the City's Transportation Review Memo (BP-18-1736).

vii. The function and location of any private utility system;

FINDING: No private utility systems are proposed.

viii. Compliance with the applicable approval criteria set forth at BDC 4.5.200 Community Master Plan, BDC 4.5.300 Institutional Master Plan, and BDC 4.5.400 Employment Master Plan;

FINDING: The responses to BDC Chapter 4.5.300 (below) respond to all the relevant approval criteria for Institutional Master Plans set forth in BDC 4.5.300(E).

ix. Types of residential uses and planned densities; and

FINDING: No residential uses are proposed.

x. Bend Comprehensive Plan Map compliance analysis which explains how plan designation acreages in the Bend Comprehensive Plan Map designations for the subject site or sites, including minimum and maximum residential density ranges, are implemented by the Master Plan, including rearranging the plan designations and or zoning that retains the same total area of all plan designations on the

subject site or within one percent of the same total acres. All other changes must be processed concurrently as a Comprehensive Plan amendment and zone change.

FINDING: The proposed Major Institutional Master Plan is within an Opportunity Area that is larger than 20 acres. Accordingly, density transfers are allowed pursuant to 4.5.100C1. Density transfers are proposed. As noted above, the RM (9.12 AC) and RH (6.55) will be transferred to the Ward Transfer Property within the Opportunity Area, and 19.19 Acres of the RS density will be transferred to 181216B000100 outside of the Opportunity Area west of Jewell Elementary. The density transfer will be addressed below.

b. Scaled maps or diagrams that include the following information (as applicable):

- i. Development boundary;**
- ii. Phasing plan;**
- iii. Conceptual site plan including the following:**
 - (A) General land uses;**
 - (B) Approximate building envelopes and square footage;**
 - (C) Vehicle, biking, and walking circulation system, including cross sections, and where these facilities will connect with the existing and planned system;**
 - (D) General location and size of areas to be conveyed for public use (e.g., schools, recreational areas, parks, fire stations, and other public uses) in accordance with the City of Bend, the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan, and the School Facility Plan, latest editions, and other open space areas as required by this Chapter;**
 - (E) Transit routes and facilities;**
 - (F) Parking, loading, and service areas including loading and service areas for waste disposal;**
 - (G) North arrow and scale; and**
 - (H) Other information necessary to show how the conceptual site plan meets applicable criteria.**
- iv. Water and sewer facilities to serve the Master Plan area, including line sizes, general location of routes, and how the lines will tie into adjacent areas and facilities;**
- v. General location of streets and water and sewer lines illustrated on abutting vacant land and developable land and all contiguous property under common ownership. This illustration is not binding on the abutting properties;**
- vi. Grading concept plan (for hillside or sloping properties, or where extensive grading is anticipated);**
- vii. Landscape concept plan and tree preservation plan in accordance with BDC Chapter 3.2, Landscaping, Street Trees, Fences and Walls;**

- viii. **Architectural concept plan (e.g., information sufficient to describe architectural styles, building heights, and general materials); and**
- ix. **Sign concept plan (e.g., locations, general size, style, and materials of signs).**

FINDING: Maps and diagrams addressing all of the above elements of the proposed Master Plan are included in MP.1- MP.12.

Architectural Concept Plans:

The New High School building will be a one and two-story CMU and steel framed structure of approximately 240,000- 250,000 SF. The building is designed in a Contemporary Northwest style. The building footprint is H-shaped with the major circulation axis running east to west and minor axis running north to south. The H-shaped building footprint creates two courtyards that are activated by the spaces that front on the courtyards. There are main entries on both the east and west sides of the building. The roofs include gable and shed forms with the larger massed portions buried within the overall building. The larger massed elements are broken down by stepped roof forms, which reduce the overall scale of the building around the perimeter. The longer exterior walls are articulated with steps, alcoves, windows, and other features. The building walls will be clad in earth-toned materials including both ground-face and split-face CMU and sheet metal siding. The roof will be clad in standing-seam sheet metal roofing. The openings will consist of a combination of aluminum windows, curtain wall and storefront.

The future Middle School and Blended Program buildings will be one and two-story structures of approximately 125,000 SF and 20,000 SF respectively. The buildings will be designed in a Contemporary Northwest style to complement the new High School building. The roofs will consist of gable and shed forms with the larger massed portions buried within the overall building footprint. The larger massed elements will be broken down by stepped roof forms, which reduce the overall scale of the building around the perimeter. The longer exterior walls will be articulated with steps, alcoves, windows, and other features. The building walls will be clad in earth-toned materials including both ground-face and split-face CMU and sheet metal siding. The roof will be clad in standing-seam sheet metal roofing. The openings will consist of a combination of aluminum windows, curtain wall and storefront.

- c. **Draft Development Code text, figures, and tables in a format prescribed by the City, which proposes changes to the development standards and zoning district requirements intended to implement the Major Master Plan. The draft text, figures, and tables must also include any proposed districts, street layouts, and cross-sections that vary from standards.**

FINDING: Draft Development Code text, figures and tables were submitted with the application for the 15th Street School Master Plan. A chart comparing development standards specific to the proposed master plan as well as the proposed right of way cross sections were submitted with the application. Primarily, the proposed

development standards relate to setbacks, block length, height, location of parking areas and street frontage standards. The alternate standards are discussed in greater detail below in response to BDC 4.5.300(E)(2).

- d. A letter or other written documentation from the Bend Metro Park and Recreation District which indicates that the applicant has met with the District to discuss the proposed Master Plan, and provided the District an opportunity to review the design for options to enhance existing parks and trails, and develop new parks and trails.**

FINDING: The District met with Bend Metro Park and Recreation District to collaborate on the interaction between the Master Plan and the Alpenglow park plan that is being concurrently designed. BPRD provided a letter (submitted with this application) documenting compliance with this criterion.

- e. A letter or other written documentation from the Bend-La Pine School District which indicates that the applicant has met with the District to discuss the proposed Master Plan, and provided the District an opportunity to review the Master Plan area for compliance with the School Facility Plan, latest edition.**

FINDING: Since the School District is the applicant, this criterion is not applicable.

- f. Transportation analysis in compliance with BDC Chapter 4.7. Transportation Analysis.**

FINDING: The applicant submitted a transportation impact analysis (TIA), prepared by Kittelson and Associates. The responses below to BDC Chapter 4.7 address how the Applicant's transportation impact analysis is consistent with the requirement of BDC Chapter 4.7, identify the anticipated impacts of the project on the City's transportation system and recommend mitigation to address significant impacts of the project on the transportation system.

- g. Institutional and Employment Master Plans must submit a Transportation and Parking Demand Management (TPDM) Plan in compliance with BDC Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan.**

FINDING: The Applicant submitted a Transportation and Parking Demand Management Plan (the "TPDM"), prepared by Kittelson and Associates. The responses to BDC Chapter 4.8 below address the requirements of BDC Chapter 4.8, the specific elements of the Applicant's TPDM and how the TPDM is consistent with the approval criteria set forth in BDC Chapter 4.8.

- h. Water and Sewer Capacity Analysis.**

FINDING: The School District submitted a water and sewer capacity analysis with estimated flows to Avion and the City for review. Avion provided the Will Serve Letter and the City provided a signed SWA Certificate (SWA 17-6447), indicating the capacity to serve the site with mitigating conditions.

- i. Information required by BDC 2.7.400 Water Overlay Zone, BDC 2.7.700 Upland Areas of Special Interest Overlay Zone, BDC 3.5.200 Outdoor Lighting Standards, and/or BC Chapter 5.50 Noise, as applicable.**

FINDING: The Master Plan Property does not include any area within the Waterway Overlay Zone or Upland Area of Special Interest (ASI). No deviations to the Outdoor Lighting Standards or Noise Standards are proposed.

- j. Copies of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).**

FINDING: No CC&Rs currently apply to the Master Plan Property. The Applicant does not propose to adopt CC&Rs for the Master Plan area.

- k. A Title Report prepared within the previous 90 days.**

FINDING: A title report was submitted with the application, dated within 90 days of the application submittal.

4.5.300 Institutional Master Plan

B. Applicability.

- 1. Institutional Master Plans in conformance with this section may be submitted for any property or combination of properties three acres or larger in size.**
- 2. Unless exempted below, Institutional Master Plans in conformance with this section are required for any property or combination of adjacent properties under common ownership at the date of adoption of this code for the following:**
 - a. Institutions of Higher Education: 10 acres or larger.**
 - b. All other Institutions: 20 acres or larger.**
- 3. Exemptions. Unless the applicant elects to apply for an Institutional Master Plan, the following are exempt:**
 - a. The property is part of a Special Planned District in BDC Chapter 2.7, Special Planned Districts.**
 - b. Cemeteries and public maintenance facilities in existence prior to 2016.**

- c. **The City determines that the Master Plan category is a Community Master Plan or Employment Master Plan.**

FINDING: The Applicant's proposed 15th Street School Master Plan covers a total of approximately 79.4 acres. Therefore, an institutional master plan is required.

C. Review Process.

2. Major Institutional Master Plans. Major Institutional Master Plans are processed as follows:

- a. **Step 1. The Planning Commission makes a recommendation to the City Council on an application for a Major Institutional Master Plan. The text of a Major Institutional Master Plan must be included in BDC Chapter 2.7, Special Planned Districts in compliance with BDC Chapter 4.6 Land Use District Map and Text Amendments. The City Council is the final review authority on such applications (TYPE III Process).**
- b. **Step 2. Upon approval of the Major Institutional Master Plan, and prior to the commencement of Step 3, the applicant must submit a Final Major Institutional Master Plan to the City in an electronic format specified by the City. The Final Major Institutional Master Plan must depict the proposal as approved and must incorporate all conditions of approval contained in the decision. The Major Institutional Master Plan denotation for the subject site will be shown on the Zoning Map. The denotation on the Zoning Map may be added or removed administratively by staff upon approval or withdrawal of the Major Institutional Master Plan.**
- c. **Step 3. The approval of a land division(s) and/or Site Plan Review application(s) (TYPE II process).**

FINDING: The proposed Master Plan is properly characterized as a "Major Institutional Master Plan" and defined by BDC Chapter 1.2 as a "Master plan, major" because the Master Plan proposes deviations to certain development standards and zoning district requirements. The Applicant is not seeking to deviate from the review process outlined above. The Applicant anticipates that it will file Site Plan Review applications for development within Phase 1 shortly after City Council approval of the Master Plan.

D. Submittal Requirements. In addition to the submittal requirements of BDC 4.5.100.E, the following information must be submitted as deemed applicable by the Development Services Director based on the size, scale, and complexity of the development:

- 1. Narrative that defines and summarizes the organizational mission and objectives. The statement must describe the projective population that will be served by the institution including size and distinctive cohorts (e.g.,**

faculty, staff, clients, patients, and students) and any anticipated changes in the size or composition of that population associated with different phases of development. It must also specify any services or facilities available to the general public.

FINDING: The District's mission and objectives are stated in the Governance Policy – Purpose, Mission & Goals submitted with the application. The District's mission statement is that "Bend-La Pine Schools, in partnership with our community, will prepare each student with the knowledge and skill, confidence and personal integrity to contribute as a thriving citizen in our ever-changing global society."

The population that will be served by the 15th Street School Master Plan will include middle and high school students, faculty and staff, volunteers, parents/guardians and community members. Phase 1 will include high school students. Phase 2 will provide facilities designed for middle school students and a blended middle and high school program. Middle school play fields are generally available to the community during non-school hours. The school buildings are available for use by the public through Facility Use requests. The 10 foot multimodal pathway that will encircle the site will be available to the public. Most school sporting events are open to the public (some with paid admission). The parking lots are generally open to the public.

2. Summary of the facilities related to the proposed Institutional Master Plan.

FINDING: Phase 1 facilities include the high school, parking lots, multimodal path, and sports fields (football, track, soccer, softball, baseball, and tennis). Phase 2 facilities include the middle School, the high school/middle school blended program, sports fields, and parking.

3. Description of the following:

a. General location of all existing and proposed uses and onsite circulation plans;

FINDING: The high school site is on the south end of the 15th Street Site. There is parking on the east, west and south of the high school building. The athletic fields for the high school are north of the building, and south and east of the proposed collector street. Phase 2 will be built north of the collector street. The 10-foot path will be extended along the west, east and south perimeter of the entire site and connect to the 10-foot trails from the Alpenglow Park to Knott Road on the east and west sides of the site. Pedestrian and bike connections are made throughout each phase from the buildings, parking areas, and roads to the sports fields. All connections are shown on Exhibit MP.4. In addition, the School District and the Bend Parks and Recreation District have collaborated to develop a regional pedestrian and bike vicinity plan, as shown on Exhibit MP.10.

b. Approximate floor area of proposed structures;

FINDING: The new high school building is a one and two-story structure of approximately 240,000 - 250,000 square feet. The future middle school and blended program buildings will be one and two-story structures of approximately 125,000 square feet and 20,000 square feet, respectively.

c. Approximate height of proposed structures;

FINDING: The high school is estimated to be approximately up to 70 feet at the highest point (top of the performing arts auditorium). The typical height for a middle school is 55 feet but the height could be up to 60 feet at the roof peak.

d. Approximate number and general location of parking spaces on-site and those off-site in compliance with BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking and BDC Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan;

FINDING: Exhibit MP.3 shows the approximate number and general location of parking spaces. The parking counts are based on the code requirement for high schools and middle schools. For the high school, the code requires 399 spaces and the plan is for 500-599 spaces. For the middle school and the blended program, the code requires 215 and the plan provides up to 250 spaces.

As required by the code, one bicycle parking space for every 25 students is required. Applicant is proposing twice as many bike spaces as required, as part of the TPDM plan. 128 covered spaces will be provided on the high school site. 68 spaces will be provided between the middle school and Tamarack site. Bike storage areas will be behind enclosed fenced areas on each campus. These areas are locked and secured during the school day.

The TPDM is submitted with the application. Compliance with BDC 3.3 and 4.8 are set forth in findings below.

e. A description of on-site housing and any dedicated off-site housing facilities to be developed as part of the Institutional Master Plan, including the total number of users that may be accommodated in such facilities; and

FINDING: No housing facilities are proposed as a part of this Institutional Master Plan.

f. Public safety.

FINDING: The School District has a Director of Communications and Safety. The School District works closely with law enforcement on school safety. The District's Safety Plan is included with the application submittal.

4. Design Guidelines for new and renovated buildings and structures including materials, height, bulk, massing, and colors.

FINDING: Conceptual design guidelines are shown on Exhibit MP.7. The colors will be neutral, earth tone colors consistent with existing schools.

- 5. Open space must be shown on the conceptual site plan and may include parks, pavilions, multi-use paths within a minimum 20-foot wide corridor, squares and plazas, areas of special interest, tree preservation areas, and recreational facilities.**

FINDING: Paths/trails, plazas, open space, forested areas, and fields are proposed in the plan, as shown on Exhibits MP.4 and MP.6.

E. Approval Criteria. The City may approve, approve with conditions, or deny the proposed institutional master plan application based on meeting all of the following criteria:

- 1. The proposed land uses within the institutional master plan must be consistent with the Bend Comprehensive Plan Map designations. If rearranging the plan designation locations and/or zoning are proposed as part of the major institutional master plan application, the major institutional master plan must retain the same total area of all plan designations on the subject site or within one percent of the same total acreage consistent with the allocations prescribed by the existing plan designations.**

FINDING: The proposed schools in the 15th Street School institutional master plan are permitted uses in the underlying zoning districts, as noted above. The 15th Street School master plan site is larger than 20 acres and within the larger 15th Street Opportunity Area. Accordingly, density transfers are allowed pursuant to 4.5.100C1. Residential density transfers are proposed. The RM (9.12 acres) and RH (6.55 acres) zoned property will be transferred to the Ward Transfer Property north of the planned Alpenglow Park within the 15th Street Opportunity Area. 19.19 Acres of the RS density will be transferred to 181216B000100, west of Jewell Elementary, outside of the Opportunity Area. The density transfer criteria is addressed above under BDC 4.5.200.E.3.

- 2. The applicant has demonstrated that the standards and zoning district requirements contained in BDC Titles 2, Land Use District Administration, and 3, Design Standards, are capable of being met during Site Plan or Land Division Review, except as proposed to be modified by the applicant as part of a Major Institutional Master Plan. Where the applicant has proposed deviations to the above standards and/or zoning district requirements as part of a Major Institutional Master Plan, the applicant has demonstrated:**
 - a. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or**

- b. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan, and**
- c. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.**

FINDING: With respect to the standards in BDC Title 2 and BDC Title 3 for which no deviations are sought, the applicant will be subject to the regulations in effect at the time of Site Plan Review for each phase of the project. BDC Titles 2 and 3 largely impose development standards (e.g., height, setback, landscaping, parking, architectural, lot, block length) on the project. There is nothing inherent in the overall design of the campus that would preclude compliance with BDC Titles 2 and 3. Where deviations are sought, the deviations are codified into the proposed 15th Street School Master Plan Overlay Code. The Applicant does not propose to partition or subdivide any portion of the Master Plan Area; therefore, the findings in this section do not respond to any standards related to Land Division Review.

Chapter 2 Standards

Schools are permitted in all the underlying zones on the Master Plan Property: RS, RH, RM, ME, CL and CC. However, each zone has different and sometimes conflicting development standards. It would be impossible to design schools to meet the different standards of the various zones. For that reason, the District proposes a comprehensive set of development standards that will be applicable for all site plans within the 15th Street School Master Plan. The development standards are based on the requirements in the PF zone, with additional standards from Chapter 2 that will promote the following:

- Efficient use of land and public services
- Provide for buffering of buildings from the surrounding residential neighborhood
- Reduce reliance on the automobile for neighborhood travel and provide options for walking and bicycling.
- Provide direct and convenient access to schools, parks and neighborhood services
- Reinforce streets as public places that encourage pedestrian and bicycle travel
- Provide roadway and pedestrian connections to residential areas
- Provide transitions between high traffic streets and neighborhoods
- Facilitate development that supports public transit
- Provide both formal and informal community gathering places

This deviation to the Chapter 2 development standards will better meet the purposes of the code. The 15th Street School master plan overlay code is intended to provide consistent development standards, which will be better served by a unified set of Development Standards. The tables below indicate which standards in Chapter 2 of the Bend Development Code will be superceded by the 15th Street School master plan overlay code.

Applicability of Chapter 2.1 Residential Districts

STANDARD	RS	Superseded by 15th Street School Master Plan
2.1.200 Permitted Uses		No
2.1.300 Building Setbacks	Front: 10 ft., except garages shall be set back 20 ft. Rear: 5 ft. minimum Side: *3 ft./5 ft. minimum	Yes, see Table 2.7.3650 (Front: 20 ft; Side & Rear: None, except when abutting a residential use in a City residential zone, then setback to building or parking area is 20 ft)
2.1.400 Building Mass and Scale		No
2.1.500 Lot Area and Dimensions		No
2.1.600 Residential Density		No
2.1.700 Maximum Lot Coverage	50% for single-story homes 35% for all other uses	No
2.1.800 Building Height	Building Height 30 feet unless approved by variance or Master Planned Development	Yes, see Table 2.7.3650 (50 ft, except gyms, theater, auditoriums, and and football/track light poles – 70 ft)
2.1.900 Architectural Design Standards	Architectural Design Standards	Yes, see 2.7.3660

Applicability of Chapter 2.2 Commercial Zoning Districts

STANDARD	CC	Superseded by 15 th Street School Master Plan	CL	Superseded by 15 th Street School Master Plan
Chapter 2.2				
2.2.300 Permitted and Conditional Uses		No		No
Table 2.2.400 Commercial Zoning District Development Standards				
Minimum Front Yard Setback, see note (1) below	None	Yes, see Table 2.7.3650 (20 ft)	10 feet	Yes, see Table 2.7.3650 (20 ft)
Maximum Front Yard Setback, see note (1) below and subsection (C) of this section				
– From street with on-street parking	10 feet	Yes, see Table 2.7.3650 (no maximum front yard setback)	10 feet	Yes, see Table 2.7.3650 (no maximum front yard setback)
– From street without on-street parking	80 feet		80 feet	
Minimum Rear Yard Setbacks	None	None, except when abutting a City residential zone, then setback to building or parking area is 10 ft)	None	None, except when abutting a residential use in a City residential zone, then setback to building or parking area is 20 ft)
Minimum Side Yard Setbacks	None		None	
Maximum Lot Coverage	None		None	

STANDARD	CC	Superseded by 15th Street School Master Plan	CL	Superseded by 15th Street School Master Plan
Maximum Building Height	35 feet, except within 100 feet of the Deschutes River where height may be further limited subject to WOZ Review	Yes, see Table 2.7.3650 (50 ft, except gyms, theater, auditoriums and football/track light poles– 70 ft)	55 feet, except within 100 feet of the Deschutes River where height may be further limited subject to WOZ Review	Yes, see Table 2.7.3650 (50 ft, except gyms, theater, auditoriums and football/track light poles– 70 ft)
Minimum Floor Area Ratio	None		None	
Maximum Building Footprint, see note (2) below	50,000 sq. ft.	Yes, see Table 2.7.3650 (no maximum)	None	
Chapter 2.2 Code				
2.2.400.A.6 Transition Standards.		Yes, see Table 2.7.3650		Yes, see Table 2.7.3650
2.2.500 Site Layout and Building Orientation.		Yes, see 2.7.3660		Yes, see 2.7.3660
2.2.600 Commercial Design Review Standards		Yes, see 2.7.3660		Yes, see 2.7.3660
2.2.700 Pedestrian Amenities.		Yes, see 2.7.3660		Yes, see 2.7.3660

Applicability of Chapter 2.3 Mixed Use Zoning Districts

STANDARD	ME	Superseded by 15 th Street School Master Plan
2.3.100 Permitted and Conditional Uses		No
Table 2.3.300 Development Standards		
Minimum Front Yard Setback	none	Yes, see Table 2.7.3650 (20 ft)
Maximum Front Yard Setback (see subsection (A)(1) of this section)	10 feet/80 feet* (see subsection (A)(1)(e) of this section)	Yes, see Table 2.7.3650 (no maximum setback)
Rear Yard Setback	None/10 feet (see subsection (A)(2) of this section)	Yes, see Table 2.7.3650 (None, except when abutting a City residential zone, then setback to building or parking area is 10 ft)
Side Yard Setback	None/10 feet (see subsection (A)(2) of this section)	Yes, see Table 2.7.3650 (None, except when abutting a City residential zone, then setback to building or parking area is 10 ft)
Lot Coverage	None	
Building Height (see subsection (B) of this section)	45 Feet	Yes, see Table 2.7.3650 (50 ft, except gyms, theater, auditoriums and football/track light poles – 70 ft)
Chapter 2.3 Code		
2.3.300 Development Standards	BDC 2.3.300.D - 10' landscape buffer adjacent to residential district	Yes, see Table 2.7.3650 and 2.7.3650.B.
2.3.400 Site Layout and Building Orientation	Parking and maneuvering areas are prohibited between the street and the building when on-street parking is allowed on the street	Yes, see Table 2.7.3650 and Figure 2.7.3630A

STANDARD	ME	Superseded by 15th Street School Master Plan
	fronting the development property.	
2.3.500 Architectural Standards	Commercial design review, BDC 2.2.600	Yes, see 2.7.3660

The infrastructure development proposed with this master plan will provide the major transportation, sewer and water facilities to jump-start the surrounding development. It will allow the neighborhood to develop around the schools, similar to the way NorthWest Crossing developed around High Lakes Elementary and Summit High School. The advantage here is that by planning the High School, Middle School and Blended Program together, it is possible to address transportation, circulation, parking, field layout and schools to facilitate multi-modal options, space sharing and maximize site utilization. For these reasons, the site is unique and should have a unified set of development standards that promote the goals of a complete community.

By imposing additional standards beyond those required in the PF zone, any impacts resulting from the deviation to Chapter 2 are mitigated to the extent reasonably practical. The development standards for any future site plan are set forth in the 15th Street School Overlay Code.

Chapter 3 Standards

The Applicant is seeking deviations from the following sections of the BDC Chapter 3. The table below indicate which standards in Chapter 3 of the Bend Development Code will be superseded by the 15th Street School master plan overlay code. Each standard is first identified by its BDC reference, and findings addressing BDC 4.5.300(E)(2).

Applicability of Chapter 3 Design Standards

STANDARD		Superseded by 15th Street School Master Plan
3.1 Lot, Parcel and Block Design, Access and Circulation		
3.1.200 Lot, Parcel and Block Design	Block length & perimeter Access lowest classification	Yes, see Table 2.7.3650 and Figure 2.7.3670.A (no min lot area, width or depth, no max block perimeter, access per master plan)
3.1.300 Multi-Modal Access and Circulation		No
3.1.400 Vehicular Access Management		No, except as provided below (F & G)

STANDARD		Superseded by 15th Street School Master Plan
3.1.400 F. Access Management Requirements G. Shared Access	Single access point Shared Access	Yes, see 2.7.3670 and Figure 2.7.3670.A
3.1.500 Clear Vision Areas		No
3.2 Landscaping, Street Trees, Fences and Walls		
3.2.200 Landscape conservation		No
3.2.300 New Landscaping		No
3.2.400 Street Trees		No
3.2.500 Fences and Retaining Walls		No, except as provided in 2.7.3670.C.
3.2.500 C. Fences	6 ft. Fences in residential districts 8 Ft. Fences in other districts School Athletic fences over 20 ft. require conditional use	Yes, see Table 2.7.3650.C. (ballfield fence up to 20 feet with netting to 40 ft)
3.3 Vehicle Parking, Loading and Bicycle Parking		
3.3.300C.1. Parking Location	No parking within front yard setbacks	Yes, 2.7.3670.D. (parking allowed within front yard setback of private local street)
3.3.400 Loading Standards		No
3.3.500 On-Street Parking Design Standards		No
3.3.600 Bicycle Parking Standards		No
3.4 Public Improvement Standards		No, except as described below
3.4.200 Transportation Improvement Standards F. Minimum Rights-of-Way and Street Section K. Street Alignment and Connections	Street Sections Comply with 3.1.200	Yes, see Table 2.7.3650, 2.7.3670, 2.7.3680, Figures 2.7.3680A and A-1

STANDARD		Superseded by 15th Street School Master Plan
S. Development Adjoining Arterial Streets	Comply with 3.1.200	
3.4.300 Public Use Areas		No
3.4.400 Sanitary Sewer and Water Service Improvements		No
3.4.500 Storm Drainage Improvements		No
3.4.600 Utilities		No
3.4.700 Easements		No
3.4.800 Construction Plan Approval and Assurances		No
3.4.900 Installation		No
3.5 Other Design Standards		
3.5.200 Outdoor Lighting standards		No
Chapter 3.6.300 Nonresidential Uses		No
3.6.300C.1. Public and Institutional Land Uses – Building Mass	Building length no longer than 80 ft. except as approved through Master Planned Development	Yes, see 2.7.3660.A.1 (architectural features if length greater than 50 ft)

PROPOSED DEVIATIONS TO CHAPTER 3

BDC Chapter 3.1 Lot, Parcel and Block Design, Access and Circulation
BDC Chapter 3.1 imposes several requirements of the formation of blocks, block length, block perimeter, and access points to the City's transportation network.

BDC Chapter 3.4.200 Transportation Improvement Standards
BDC Chapter 3.4.200 imposes standards regarding road cross-sections

FINDING: As part of the 15th Street School Master Plan, the Applicant is proposing to establish the transportation network for the entire site, including internal and external connections. By establishing the overall transportation network, the 15th Street School Master Plan will also set the block length and block perimeter standards, road sections and identify the access points from the site to the City's transportation network. Given the size of the site, the significant safety requirements for schools, the need for multiple access points and the unique nature of a multiple school site, the Applicant seeks to modify the relevant standards of BDC Chapter 3.1 and 3.4.200 and replace such standards with a set of standards tailored to the overall site. It is the intent that the

provisions of the master plan will control over any conflicting standards in BDC Chapter 3.1 and 3.4.200.

In order to grant the deviations from BDC Chapter 3.1 and 3.4.200 as contained in the proposed 15th Street School Master Plan Development Code, the following standards apply:

- a. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or
- b. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan, and
- c. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.

Given that block length, block perimeter, street connectivity, block formation, road cross-sections, and new lot and parcel access are all interrelated and dependent upon each other, the deviation findings apply equally to all. There are several reasons for seeking deviations to these standards. First, school safety is a major factor. The overall design concept for the 15th Street School Master Plan is to provide an innovative education model with the co-locating of a High School, Middle School and Blended program to facilitate the opportunities for both high school and middle school students.

The future middle school and blended program will enable middle school students to access high school curriculum. High school students will have opportunities to be peer tutors and mentors. The faculty will have much better vertical collaboration to assure the smooth transition for students and to align middle and high school curriculum. The staff specialists including hearing/speech/language, nurses, special education, ELL (English language learners), etc. will be able to serve students more efficiently due to the proximity. The schools will be able to share facilities, fields, auditorium, and buses. The School Resource Officer will be able to cover two schools without having to travel long distances.

This collaboration between schools will be enhanced by a focus on multi-modal connectivity and less reliance on vehicle traffic on site. For that reason, the road network and pedestrian/bike network has been designed to promote safe pedestrian connectivity. The extensive multi-modal system on site is shown on Exhibit MP.4. The elimination of one collector street through the site will facilitate this approach. The Transportation System Plan amendment for the removal of this collector street will be addressed below. The reduced width road standard for the remaining collector street through the site is modeled after the Northwest Crossing collector street standard, with slightly wider lanes, bike lanes and parking. This reduced right of way has proven effective to move vehicles but also promote multi-modal transportation. The proposed standard has bike lanes, but also a 10 foot separated multi-modal path on one side and

a sidewalk on the other. The vehicle lanes narrow at designated pedestrian crossings to calm traffic and to provide safe pedestrian movements.

The entire site will be developed with ample field spaces, developed plazas, green spaces, pedestrian connections and pathways, recreation facilities and large areas of natural vegetation. These design concepts are unique and do not lend themselves well to the grid pattern envisioned by BDC Chapter 3.1. That said, while a grid pattern for vehicles is not feasible for the site, the layout focuses more heavily on robust multi-modal connections. A 10 foot separated multi-modal path is located on the east, west and south perimeter of the site and will connect to the Park District path network at the time of high school construction. There are multiple pedestrian/bike connections to the surrounding street network. Safe pedestrian crossings will be provided across the new collector street through the site to improve pedestrian safety. The site does provide ample vehicular and pedestrian connections throughout and provides connections to the City's larger transportation network. Overall, the ample provision of pedestrian and bicycle facilities mitigate for the deviations to BDC Chapter 3.1 and 3.4.200.

BDC 3.2.500 Fences and Walls

BDC 3.2.500E.3C provides that fences related to a park or approved recreational facility or a school athletic use including (but not necessarily limited to) tennis courts, driving ranges and ball fields in excess of 20 feet in height require a Conditional Use Permit.

BDC 3.3.300 Vehicle Parking, Loading and Bicycle Parking

BDC 3.3.300 limits parking within the front yard setbacks in certain instances.

BDC 3.6.300 Nonresidential Uses

BDC 3.6.300C limits building length to no more than 80 feet, except as approved through master plan

In order to grant the deviations from BDC Chapter 3.2.500 and 3.3.300 200 and 3.6.300 as contained in the proposed 15th Street School Master Plan Overlay Code, the following standards apply:

- a. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or
- b. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan, and
- c. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.

FINDING: Due to the unique nature of this High School and Middle School site, the District design team in collaboration with Bend Park and Recreation District and City staff input have focused on creating a pedestrian friendly and multi-modal emphasis in

the design of the overall site. The Alpenglow Park to the north is currently under design. The proximity between the schools and parks creates an opportunity to compete a robust and attractive multi-modal trail system that connects to other regional trails systems. There will be a 10 foot multi-modal path around the east, west, and south perimeter of the Master Plan site. This trail meanders within an extra wide buffer around the east, west and south boundaries of the site and connect to the park's trails at the northeast and northwest corners of the site.

The buffer ranges from 45 feet to 90 feet in width. This buffer serves several purposes. The width will allow the 10 foot trail to meander and preserve many significant trees. Accordingly, the trail will provide an enhanced walking/biking experience through a wooded landscape. Road bike riders will still have the option of using the bike lanes that will be constructed on 15th Street. The buffer will also provide additional screening for the surrounding area for the field fences and nets required to contain ball on site and for the height of the school above the gym, theatre and auditorium. The field fences will be 20 feet with netting up to 40 feet at the tallest. The nets provide containment but are relatively see-through, in order to minimize visual impacts. Because the fencing and netting impacts are addressed and mitigated by this buffer, the District seeks to eliminate the conditional use requirement to allow fences up to 20 feet and to allow the netting up to 40 feet.

The buffer also screens the parking from the surrounding areas. Built into the 15th Street School Master Plan Overlay Code is a requirement that in order for parking to be located near residential uses, there must be a minimum of a 20 foot landscaping buffer between the parking and the abutting property line of a residential use on a residentially zoned property. This ensures that visual impacts of the parking lots will be adequately mitigated.

Finally, all high schools and middle schools have greater than an 80 foot length. This is a characteristic of the school development type. This master plan will review and approve the overall layout, including building footprint, open space and site amenities which meets the purpose of the code requiring longer buildings be approved as part of a master plan. The longer buildings will be mitigated through the 15th Street School Overlay Code which require architectural features for building lengths greater than 50 feet. The overall site is large enough and sufficiently buffered to adequately mitigate the larger building size.

4.5.300.E. Institutional Master Plan, Approval Criteria (continued)

- 3. The Institutional Master Plan complies with BDC Chapter 4.7, Transportation Analysis and meets all the approval criteria in BDC Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan.**

FINDING: The findings in the sections below under BDC Chapter 4.7 and BDC Chapter 4.8 demonstrate compliance with these two chapters.

- 4. Existing water and sewer facilities have adequate capacity to serve the proposed development in compliance with the Collection Systems Master Plan and the Water System Master Plan, latest editions, or adequate facilities will be installed prior to occupancy or use.**

FINDING: The School District submitted a water and sewer capacity analysis to the City and to the Avion Water District. The high school site, Phase 1, will be in the Avion water service area (pending an adjustment to Avion's service boundary) and the future middle school site, Phase 2, is in the City water service area. City sewer will serve both phases. The City's Utility Availability Memo (SWA 17-6477) indicates that the City's facilities are adequate to serve the estimated demand, with mitigating conditions. The Avion Water District also provided a Will Serve letter for the subject property.

- 5. The Institutional Master Plan provides multi-modal connections on-site in compliance with the Bend Urban Area Transportation System Plan (TSP) and the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan, latest editions, and existing and planned trail systems adjacent to the Institutional Master Plan are continued through the entire Institutional Master Plan.**

FINDING: The 2016 amendments to the Bend Transportation System Plan (the "2016 TSP") identifies two collectors on the Master Plan Property (see Figure 9.4 of the 2016 TSP). The "Urban Area Bicycle and Pedestrian System", shown on 2016 TSP Figure 9.5, shows one multi-use path along the west side of the site, bicycle lanes along the collector streets and shared roadways through the site. The proposed transportation system for the site removes one of the collector streets and shared roadways, but enhances the pedestrian/bike connectivity beyond that contemplated in the 2016 TSP. The amendment to the 2016 TSP to remove one collector street is addressed below. Additional multi-use paths are proposed along the east and south sides of the property. The shared roadways will be replaced by pedestrian paths throughout the site connecting the buildings, fields, and parking to the multi-use paths to the park and surrounding pedestrian/bike network. Accordingly, the proposed system is consistent with the TSP's Bicycle and Pedestrian System requirements. All multi-use paths will be within the City's dedicated right of way or within a recorded public access easement to ensure continuous accessibility to the public without barriers.

The TSP maps acknowledge that roadway and bike/pedestrian alignments are "general in nature" and that the precise location of roadways will be subject to further review and compliance with City road standards. Because the proposed transportation system provides east/west and north/south connections in the general location as set forth on Figure 9.4, and includes more multi-modal connections than identified on Figure 9.5 of the 2016 TSP, the proposed roadway system is consistent with the 2016 TSP, with the exception of the removal of one collector street, which will be addressed below.

The Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan does show specific connections on the site and the proposed plan makes those connections, as shown on Exhibit MP.4 and MP.10.

- 6. The Institutional Master plan must provide and maintain a minimum of 10 percent of the gross area as open space in compliance with BDC 4.5.300.D.5.**

FINDING: The proposed Master Plan includes significantly greater than the minimum 10 percent of gross area as open space. The field space, buffer and landscape areas are all considered open space.

- 7. The Institutional Master Plan, when located in an Opportunity Area and includes residential designated land, complies with the density and housing mix in BDC 4.5.200.E.3.**

FINDING: The 15th Street School Master Plan is within the 15th Street Opportunity Area. The density and housing mix standards of BDC 4.5.200.E.3 will be addressed by transferring the RM and RH density to another property within the Opportunity north of Alpenglow Park as described in findings above.

- 8. In lieu of the approval criteria in BDC 4.6.300 Quasi-Judicial Amendments, Major Institutional Master Plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:**
 - a. Approval of the request is consistent with the relevant Statewide Planning Goals that are designated by the Planning Director or designee; and**
 - b. Approval of the request is consistent with only the relevant policies of the Bend Comprehensive Plan Chapter 11, Growth Management that are designated by the Planning Director or designee.**

FINDING: The Master Plan proposes to amend the Bend Comprehensive Plan to move the RM and RH designated land to another location within the same Opportunity Area. Accordingly, BDC 4.6.300 will be addressed below.

- 9. If the Major Institutional Master Plan proposal contains a zone change request to bring the zoning into compliance with the Bend Comprehensive Plan designation, the zone change is subject to the approval criteria of BDC 4.6.300(C).**

FINDING: The existing zoning matches the existing Comprehensive Plan designations. The Applicant submitted an application (PZ-18-0253) to amend the underlying zoning to match the new Comprehensive Plan Designations on the subject property. The property will be concurrently rezoned from RH and RM to RS to match the underlying Comprehensive Plan Map amendment. Therefore, BDC 4.6.300(C) applies and is addressed in findings below.

10. If the Major Institutional Master Plan proposal contains a proposed amendment to the Bend Comprehensive Plan map or text, the amendment is subject to the approval criteria of BDC 4.6.300(B).

FINDING: The proposed Institutional Master Plan contains a proposed amendment to the Bend Comprehensive Plan map and text. There are two components. First, the Applicant seeks a plan amendment and zone change to move the RM and RH zones/plan designation from the Master Plan Property to another location within the Opportunity Zone. The RM (9.12 acres) and RH (6.55 Acres) will be transferred to property north of the planned Alpenglowl Park (Tax Lot 1812160000108). After the transfer of the RM and RH zones/plan designation, the Master Plan Property areas currently RH and RM will be rezoned/redesignated to RS. Therefore, BDC 4.3.300(B) will apply. The second component is a TSP amendment to remove a planned parallel collector street on the site. Each amendment will be addressed separately, below.

F. Periodic Institutional Master Plan Status Report. Every five years or sooner from the date of the Institutional Master Plan approval, the Institution must submit an update to the Planning Division. This update must provide a description of all projects that: (1) have been completed since the most recent update; (2) are ongoing, including a description of the status and estimated timetables for completion of such projects; (3) are scheduled to begin in the upcoming 24 months, including estimated timetables for the commencement, progress, and completion of such projects; and, (4) are no longer being considered by the Institution. In addition, the Institution must submit an updated site plan. The update will be presented to the Planning Commission, but will not require a public hearing. The status report will no longer be required if the Institutional Master Plan is built out and additional development is not contemplated.

FINDING: A Periodic Institutional Master Plan Status Report will be required to be submitted by the Applicant every five years in compliance with this section.

G. Duration of Approval.

- 1. An approved Institutional Master Plan will remain valid indefinitely unless withdrawn by all owner(s) of property within the Institutional Master Plan. The City may deny withdrawal when a switch to otherwise applicable standards would not be in the public interest because of sufficient development under the Institutional Master Plan. Standards and regulations identified in the approved Institutional Master Plan will control all subsequent site development as long as the approved Institutional Master Plan is valid. If alternative standards and regulations are not specifically identified in the approved Institutional Master Plan, the applicable City standard at the time any development application is submitted will apply.**

FINDING: Upon approval of the Master Plan, the Master Plan and the standards of the 15th Street School Overlay Zone will control all subsequent development on the master plan property.

- 2. The duration of approval for an Institutional Master Plan must coincide with the timeline outlined in the approved phasing plan and in accordance with the time frames studied in the Transportation Analysis and Water and Sewer Capacity Analysis for the Institutional Master Plan. Site plan review or land division applications submitted consistent with or earlier than as provided in an approved phasing plan will not require an updated Transportation Analysis and Water and Sewer Capacity Analysis as part of the development application. Infrastructure capacity may be reserved for the Institutional Master Plan site for up to 15 years or as specified in an approved phasing plan.**

FINDING: The infrastructure studies for the master plan (sewer, water, transportation) forecasted the impacts through the year 2027. The phasing plan reserves infrastructure capacity (sewer, water, transportation) through and including 2027 and all site plans filed pursuant to the phasing plan through December 31, 2027.

- 3. The time period set forth in subsection (G) of this section will be tolled upon filing of an appeal to LUBA and must not begin to run until the date that the appellate body has issued a final order.**

FINDING: The time period set forth in subsection (G) of this section regarding the duration of the master plan approval will be suspended upon the potential filing of an appeal to Land Use Board of Appeals (LUBA) and must not begin to run until the date that the appellate body has issued a final order.

Chapter 4.6

LAND USE DISTRICT MAP AND TEXT AMENDMENTS

4.6.300 Quasi-Judicial Amendments

- A. Applicability, Procedure and Authority. Quasi-judicial amendments generally refer to a plan amendment or zone change affecting a single or limited group of properties and that involves the application of existing policy to a specific factual setting. Quasi-judicial amendments shall follow the Type III procedure, as governed by BDC Chapter 4.1, Development Review and Procedures, using the standards of approval in subsection (B) and/or (C) of this section, as applicable. Based on the applicant's ability to satisfy the approval criteria, the applicant may be approved, approved with conditions, or denied.**

FINDING: The Master Plan Property and the Ward Transfer Property are a limited group of properties suitable for a quasi-judicial amendment. As part of the Master Plan, the RH and RM density will be transferred to the Ward Transfer Property. Accordingly,

there must be a Zone Change and Comprehensive Plan Amendment to the Master Plan site and the Ward Transfer Property. In addition, the TSP Amendment is limited to the removal of one of two collector streets on the subject property. Therefore, the Zone Change, Comprehensive Plan Amendment and TSP Amendment will be processed as quasi-judicial amendments.

B. Criteria for Quasi-Judicial Amendments. The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

1. Approval of the request is consistent with the relevant Statewide Planning Goals that are designated by the Planning Director or designee;

FINDING: Given the urban nature of the Master Plan area, several of the Statewide Planning Goals do not apply to the proposal. However, each goal is addressed below.

Statewide Planning Goals

As discussed under each goal, the Statewide Planning Goals largely impose obligations on local governments to develop programs, policies and implementation measures consistent with the requirements of the Statewide Planning Goals. Therefore, Goal 1 is met.

Goal 1, Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City's acknowledged citizen involvement program for quasi-judicial amendments is codified in BDC Chapter 4.1. The first step for citizen involvement is the public meeting required by BDC 4.1.215. As previously noted, the applicant held a public meeting on November 15, 2017. Notice of the public meeting was provided to property owners located within 500 feet of the subject property and to the Southeast Bend Neighborhood Association. The applicant has submitted documentation from the public meeting. Type III land use applications are also noticed by the City pursuant to BDC 4.1.400, which ensures that citizens are informed of the opportunity to participate in a public hearing.

Goal 2, Land Use Planning: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: As required by Goal 2, the City of Bend has adopted criteria and procedures to evaluate and make decisions regarding land use applications. The City reviews Development Code Amendment requests based on established regulations and policies and prepares detailed findings. Such findings allow a decision based on factual data, ultimately for City Council adoption. The City of Bend has adopted land use procedures to render decisions as required by this Goal. The applicant has submitted sufficient

evidence as outlined in subsequent findings in this report and the submitted project narrative. Therefore, the City will have an adequate factual base to make a decision on this application. Therefore, this goal is met.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands.

Goal 4 Forest Lands To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: There are no designated agricultural lands and forest lands within the City of Bend. Therefore, Goals 3 and 4 do not apply.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: The subject property does not include any inventoried Goal 5 resources standards. Therefore, Goal 5 does not apply.

Goal 6, Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Air and water quality are regulated by the Oregon Department of Environmental Quality. The Bend Development Code includes regulations for the Waterway Overlay Zone (WOZ) and Areas of Special Interest (ASI), which has been acknowledged by the Department of Land Conservation and Development. The subject property is not located within the WOZ nor does it contain an ASI. Therefore, Goal 6 is met.

Goal 7, Areas Subject to Natural Hazards: To protect people and property from natural hazards.

FINDING: The Bend Comprehensive Plan has not identified any areas subject to natural hazards in the immediate vicinity of the site. The Bend Fire Department implements the Fire Code and the Building official implements the Structural Code, which takes into consideration seismic risk and snow load. The City Engineer implements the Clearing, Grading, and Erosion Control regulations in Title 16 of the Bend Code. Based on this finding, Goal 7 is met.

Goal 8, Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: The Bend Parks and Recreation District (BPRD) has adopted the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan

which addresses the recreational needs of the community and serves as a guide for determining future recreational facility needs. The School District received documentation from BPRD that the Parks District would like to ensure coordination on alignment of trails with the Alpenglow Park trails, shared use opportunities like overflow parking, pedestrian connectivity, and public use of sports facilities and trails, and that the pedestrian bridge the Parks District is proposing to construct over the railroad tracks will be a major route to school for students west of the railroad tracks. In addition, there are no Goal 8 destination resorts within the vicinity of the site. Based on this finding, Goal 8 is met.

Goal 9, Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: Goal 9 imposes an obligation on local governments to adopt comprehensive plans and implementing policies that support a wide variety of economic development opportunities. As part of the UGB process, and in direct response to the requirements of Goal 9, the City adopted the 2016 Bend Economic Opportunities Analysis (the "EOA"). Although the 15th Street School Master Plan Property includes employment land designations, the code specifically allows schools to be located on these employment lands. The Ward Transfer Property retains employment lands (2.08 Acres of Mixed Employment - ME). Therefore, Goal 9 has been met.

Goal 10, Housing: To provide for the housing needs of citizens of the state.

FINDING: As is the case with most Statewide Planning Goals, Goal 10 largely imposes obligations on local governments to provide an adequate supply of housing for all income levels. As part of the recent Urban Growth Boundary expansion process, many areas, including opportunity areas, were assigned a target density for housing. The Master Plan section of the Development Code requires that the residential densities be accommodated or transferred to another property. As described above, the required densities are proposed to be transferred to meet the requirements of the code and accordingly, the Housing Goal. Therefore, Goal 10 has been met.

Goal 11, Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

FINDING: The proposed Development Code Amendment is consistent with the public facilities and services goal that requires the City to plan and develop land in a timely, orderly, and efficient fashion, based upon the availability of public services. All needed public facilities and services are available to the subject property. Water and sanitary sewer service is available via existing City infrastructure located in the adjacent streets and capacity exists within these two systems. An established network of streets surrounds the property. The 15th Street School Master Plan Traffic Impact Analysis (TIA) identified traffic mitigation measures to address impacts to the surrounding transportation system. Emergency services are available through the City of Bend Fire

and Police Departments. No amendments are required to the City's adopted water and sewer collection plans to support the proposal. As shown below, the TSP Amendment to remove one planned collector on the subject property does not significantly affect the overall transportation system. Goal 11 has been met.

Goal 12, Transportation: To provide and encourage a safe, convenient and economic transportation system.

FINDING: Goal 12 imposes the requirement of local governments to develop, maintain and update transportation plans consistent with the planning and implementation guidelines of Goal 12. There are no specific obligations imposed on private development. That said, in a general sense, the purpose of Goal 12 is to ensure efficient transportation systems that take into account a variety of transportation modes. The 15th Street School Master Plan TIA and Transportation and Parking Demand Management Plan (TPDM) both demonstrate a commitment to providing new and improved transportation facilities in the City of Bend that will serve vehicular, pedestrian and bicycle transportation needs. In addition, the TSP Amendment to remove one planned collector on the subject property does not significantly affect the overall transportation system. Goal 12 has been met.

Goal 13, Energy Conservation: Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles

FINDING: Although Goal 13 generally imposes obligations on local governments to develop plans and implementing measures that conserve energy, the 15th Street School Master Plan and associated standards demonstrate that the Applicant is dedicated to reducing reliance on the automobile by providing increased multi-modal opportunities in lieu of an additional collector street. The School District may also use construction techniques to reduce energy consumption.

Goal 14, Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

FINDING: The subject property lies within the city limits and the City's Urban Growth Boundary in an area where urban levels of service are currently provided. Therefore, this goal is not applicable to the proposed Development Code Amendment.

Goal 15, Willamette River Greenway

Goal 16, Estuarine Resources

Goal 17, Coastal Shorelands

Goal 18, Beaches and Dunes

Goal 19, Ocean Resources

Goals 15 through 19 are not applicable to the proposed Development Code Amendment application because the subject property does not include any of these features or resources.

2. Approval of the request is consistent with the relevant policies of the Comprehensive Plan that are designated by the Planning Director or designee;

Bend Comprehensive Plan Chapter 7, Transportation Systems

The following goals apply to the TSP Amendment to remove one planned collector street from the subject property:

Mobility and Balance

- ***Develop a transportation system that serves all modes of travel and reduces the reliance on the automobile.***
- ***Provide a variety of practical and convenient means to move people and goods within the urban area.***

FINDING: The Master Plan has an onsite transportation system that is accessible to all users of the transportation system. The removal of the southern collector street from the site does not diminish that access to, from, or within the site by:

- Retaining the single continuous collector street through the site that was contemplated within the Bend TSP.
- Providing a robust network of trails within and through the site that connect to regional trail facilities, including an improved pedestrian crossing of 15th Street.
- Providing a transit stop along the site frontage to facilitate expansion of the transit system to the vicinity.

Efficiency

- ***Address traffic congestion and problem areas by evaluating the broadest range of transportation solutions.***
- ***Coordinate and design transportation improvements to assure the expenditure of resources in the most cost-effective manner.***
- ***Encourage the development of land use patterns that provide efficient, compact use of land, and facilitate a reduced number and length of trips.***

FINDING: The Transportation Impact Analysis evaluated the proportionate impact and contribution of the Master Plan on the transportation system. The site considered and

allowed for the regional transportation facilities the TSP identifies to serve the further urbanization of this area, including the Elbow to the east. As noted in the previous finding, the need for two collector streets was premised on the assumption that a variety of land use types would be developed on the site. With the single use contemplated, two collector streets are not needed. Instead, the northern alignment can adequately serve the overall campus as well as the multimodal connectivity needs of the overall neighborhood as properties both to the east and west develop. The submitted Transportation Impact Analysis (TIA) documented that the transportation network will continue to provide safe and convenient pedestrian, bicycle, transit, and vehicular circulation consistent with the function of affected streets if the southern onsite collector is not constructed. The applicant has not proposed removal of the second west-east collector east of the site from the Transportation System Map, so it can continue to provide the backbone for a transportation system in the eastern portion of the 15th Street Opportunity Area and the Elbow Expansion Area.

Accessibility and Equity

- ***Provide people of all income levels with the widest range of travel and access options within the Bend urban area.***
- ***Provide all transportation modes access to all parts of the community.***

FINDING: Removal of the second collector street on the site will not limit access or equity. Rather, the robust network of multimodal amenities planned onsite, including trails within and through the site and a transit stop along the site frontage, will enhance transportation access for all users. The removal of the second collector street on the site does not eliminate the need for this second/southern collector through the eastern portion of the 15th Street Opportunity Area and the Elbow Expansion Area.

Environmental

- ***Recognize and respect the natural features over which transportation improvements pass to minimize adverse impacts.***
- ***Design transportation improvements to preserve air and water quality, minimize noise impacts, and encourage energy conservation.***

FINDING: The collector street shown in the northern alignment will be designed as part of the campus to integrate and minimize impacts to natural features, air and water quality, and noise. The removal of the southern collector street from the list of planned roadways does not result in an impact to the environment.

Economic

Implement transportation improvements to foster economic development and business vitality.

FINDING: The removal of the second collector street onsite will not have an adverse impact on economic vitality. The northern collector street will provide access to employment centers as well as goods and services. The proposal's removal of the second collector is limited to its removal from the subject property; the applicant has not proposed to remove this second collector from the TSP map east of the subject property.

Livability

Design and locate transportation facilities to be sensitive to protecting the livability of the community.

FINDING: The Master Plan shows a multimodal transportation system for pedestrian, bicycle, transit, and vehicular users, which will enhance the livability of the community. The second onsite collector street is not necessary to achieve this vision.

Safety

Design and construct the transportation system to enhance travel safety for all modes.

FINDING: Removal of the second collector street on the site ensures that the transportation system near the core of the school facilities is focused on pedestrians and bicycles with limited conflicts from vehicles.

Bend Comprehensive Plan Policies

FINDING: The following Plan Policies may be relevant to the removal of one collector through the site.

7-2 *The City shall continue to use and develop performance standards and guidelines that can reduce vehicle trip lengths and/or promote non-vehicle transportation modes.*

FINDING: The removal of one collector street on the site will not adversely affect trip lengths as the remaining collector street assures the circulation through the site. As noted previously, the submitted Transportation Impact Analysis (TIA) documented that the transportation network will continue to provide safe and convenient pedestrian, bicycle, transit, and vehicular circulation consistent with the function of affected streets if the southern onsite collector is not constructed. Moreover, removing the collector street and enhancing the multi-modal connections to and through the site will promote non-vehicle transportation modes.

7-3 *The City shall consider potential land needs for long-range transportation system corridor improvements and related facilities including transit during the review of subdivisions, partitions, and individual site applications.*

FINDING: As part of the Master Plan, a future transit stop is planned on 15th Street south of the intersection of 15th Street and the new collector street.

7-6 *The City should be receptive to innovative development proposals, including zone changes, plan amendments, and text changes that promote alternatives to vehicular traffic thus reducing vehicle trips and reduced trip lengths.*

FINDING: The Master Plan provides enhances multi-modal connections in lieu of a second collector street through the site. The enhanced multi-modal connections will promote alternatives to vehicular traffic.

7-11 *The City of Bend shall coordinate the City Transportation System Plan with the Deschutes County Transportation System Plan. The City shall emphasize continuity in the classification of roads and appropriate design standards for roads that link urban areas with rural areas outside the urban growth boundary. The City and County shall agree on the functional classification and design standards of County roads within the URAs.*

FINDING: As part of the Master Plan, the School District proposes to construct a roundabout at the intersection of 15th Street and Knott Road. South of this intersection is in the County jurisdiction and the roundabout will link the urban area to the north with the rural area to the south. The County and City have been involved in the design of this intersection to meet the design standards for both jurisdictions.

Bend Comprehensive Plan Chapter 11, Growth Management

The following policies apply to the Master Plan:

11-1 *The City will encourage compact development and the integration of land uses within the Urban Growth Boundary to reduce trips, vehicle miles traveled, and facilitate non-automobile travel.*

FINDING: The Master Plan includes a focus on multi-modal options designed to reduce vehicle trips, reduce vehicle miles traveled and reduce the reliance on the automobile. Neighborhood schools are a critical component of a neighborhood. As the Opportunity Area develops, the students in the surrounding neighborhood will be able to walk to high school and the future middle school. Given the proximity of Jewell Elementary, the entire Opportunity Area will walkable access to K-12 education.

11-2 *The City will encourage infill and redevelopment of appropriate areas within Bend's Central Core, Opportunity Areas and transit corridors (shown on Figure 11-1).*

FINDING: Placing the high school and middle school within the 15th Street Opportunity Area will facilitate a complete community for this Opportunity Area. The higher density residential zones will be preserved and relocated north of the future Murphy

overcrossing. This development will provide critical infrastructure through the Opportunity area, which will encourage infill and development.

11-3 The City will ensure that development of large blocks of vacant land makes efficient use of land, meets the City's housing and employment needs, and enhances the community.

FINDING: The Master Plan property is a “large block of vacant land” and has been identified in the City’s 2016 Buildable Lands Inventory as available for a variety of uses including employment and residential uses. Although not specifically identified for schools, the code does allow schools in all the zones. As noted in the recent UGB Implementation Memo presented at the May 2, 2018 City Council meeting, total land need for schools was based on the Bend La Pine School District’s 2016 facility plan and recent discussions with the School District. For the UGB work, locations of schools were assumed as placeholders based on the best available information from the School District. Long-planned future school sites reported in the School District’s siting plans and carried through the UGB work may not match the School District’s proposed school site locations. As is the case here, the high school and future middle school will be on lands identified as employment lands, but there will be substantial employment lands in the Opportunity Area and the schools will enhance the community. The RH, RM and RS lands will be retained and transferred to nearby properties as contemplated in the Master Plan Code that implements these Policies.

11-4 Streets in the Centers and Corridors, Employment Districts, Neighborhoods, and Opportunity Sites will have the appropriate types of pedestrian, biking, and transit scale amenities to ensure safety, access, and mobility.

FINDING: This policy is implemented through the City’s development standards. That said, the on-site pedestrian, biking and transit elements of the Master Plan exceed the requirements of the BDC. There will be a designated transit stop on 15th Street for future transit. The pedestrian and bicycle amenities are located throughout the Master Plan and at a far greater density that would be found in a traditional grid development. These facilities in particular will be located both on-street and on off-street dedicated paths.

11-16 Medium-and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment, and public open space to provide the maximum access to the highest concentrations of population.

FINDING: Locating the high school and future middle school on the subject property will provide the surrounding neighborhoods with good access to K-12 schools and the future Alpenglow Park. The surrounding mix of RH, RM and RS zoning will be within walking distance via newly constructed multi-modal paths and bike lanes.

11-17 Schools and parks may be distributed throughout the residential sections of the community, and all types of dwelling units should have safe and convenient access to

schools and parks. The School District and Park District facilities plans will determine the location and size of needed schools and parks.

FINDING: The School District has determined that this is the most suitable location for the high school and future middle school, as noted in the background section at the beginning of this report. These schools will provide neighborhood schools in an area of town that is underserved with schools.

11-29 The City will provide a mechanism in the development code for property owner-initiated master plans. The development code shall specify approval criteria and procedures for such master plans.

FINDING: This application is being processed under the Master Plan code developed to implement this Policy.

4.6.300.B. Quasi-Judicial Amendments (cont.)

- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property; and**

FINDING: As noted in previous findings, there is adequate water, sewer, available to the site. The School District will be extending water and sewer to and through the Master Plan Site. The School District will be constructing extensive transportation networks including the improvement of 15th Street, the construction of a new collector through the Master Plan site, and construction of a roundabout at 15th and Knott Road as part of the high school development. Additional transportation improvements will be constructed with the construction of the middle school and blended program. No current development of the Ward Transfer Property is proposed as part of the zoning/designation transfer.

- 4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Land Use District Map regarding the property that is the subject of the application; and**

FINDING: The change in the neighborhood or community is that, through the Urban Growth Boundary expansion process, the southeast area is targeted by the City to be an area of growth, particularly with the completion of the Southeast Sewer Interceptor providing an urban level of service to the area. Accordingly, it is anticipated that many students will reside in the southeast portion of the city and providing a high school and middle school on the subject property will serve the greatest number of students. Although schools are allowed within the current land use designations on the subject property, the recently adopted Master Plan code allows a transfer of density within the Opportunity Area to retain the residential densities anticipated in the area.

5. Approval of the request is consistent with the provisions of BDC 4.6.600, Transportation Planning Rule Compliance

FINDING: To the extent that the Comprehensive Plan Amendment and zone changes are simply moving the residential zones within an Opportunity Area, there should be no impact on the transportation system warranting TPR compliance. However, since the District is also requesting an amendment to the TSP, the TPR compliance is addressed above under OAR 660-012-0060.

4.6.600 Transportation Planning Rule Compliance.

When a development application includes a proposed Comprehensive Plan amendment or land use district change, or both, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012- 0060.

FINDING: The findings below under OAR 660-012-060 address whether the removal of a segment of Collector street from the TSP “significantly affects” a transportation facility.

The Transportation Planning Rule (TPR) outlines the required transportation elements of a community’s Comprehensive Plan. The relevant review criteria for TSP amendments are located within Division 12 of the Oregon Administrative Rules (OAR 660-12). As described within the Purpose section, the TPR is intended to provide and encourage a safe, convenient, and economic transportation system. This section summarizes the relevant regulatory requirements of the proposed TSP amendment to remove the southern onsite collector road and that the action is consistent with these policies.

660-012-0000 – Purpose

FINDING: Section 0000 of the Transportation Planning Rule (TPR) identifies the overall purpose of Statewide Goal 12 is to encourage a safe, convenient, and economic transportation system. The TPR also seeks to provide modal choices, improve accessibility, encourage coordination among transportation providers, protect facilities and corridors for their identified function, and facilitate the movement of freight.

The proposed removal of the second onsite collector street complies with the overall purpose of the TPR for the following reasons. The onsite transportation network provides the multimodal transportation capacity contemplated by the TSP by providing:

- A single continuous collector roadway from Brosterhous Road to 15th Street
- Multimodal access to all uses onsite, including a proposed transit stop along the site frontage
- A robust network of trails that provide pedestrian and bicycle access within and through the site

660-012-0010 – Transportation Planning

FINDING: This section differentiates transportation system planning and transportation project development, with the latter implementing the system planning. This section also allows plans (or referenced portions) to be incorporated through reference to avoid duplicative efforts. This section acknowledges the removal of the southern onsite collector road is part of system planning.

660-012-0015 – Preparation and Coordination of Transportation System Plans

FINDING: Section 0015 requires agencies to prepare and coordinate Transportation System Plans for lands within their jurisdiction. This section is relevant to the southern onsite collector street as the section identifies that the amendment must be adopted within the Bend Urban Area Transportation System Plan.

660-012-0016 – Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas

FINDING: Section 0016 requires local governments to coordinate with regional transportation plans (RTPs) prepared by MPOs. The Bend Metropolitan Transportation Plan (Bend MTP) does not include the southern onsite collector in the committed scenario. Accordingly, the removal of the second onsite collector street from the TSP is consistent with the Bend MTP.

660-012-0020 – Elements of Transportation System Plans

FINDING: Section 0020 describes the required elements of an agency's Transportation System Plan. This section describes the functional classification of roadways as a required element, and the layout of the roadways to be consistent with access management categories and facilitate pedestrian and bicycle travel. The removal of the southern onsite collector from the TSP would modify the functional classification plan, which is a required element of the TSP. The site plan is consistent with the pedestrian and bicycle elements of the TSP.

660-012-0025 – Complying with the Goals in Preparing Transportation System Plans; Refinement Plans

FINDING: This section of the TPR describes a TSP as a land use decision, identifies that compliance with applicable statewide goals, Comprehensive Plan policies, and land use regulations is required, and identifies when decisions related to function, general locations, or mode are deferred. As described in the findings below under BDC 4.6.300.B.1, the removal of the southern onsite collector is consistent with the goals, policies, and principles that developed the contemplated transportation network near the Master Plan site.

660-012-0030 – Determination of Transportation Needs

FINDING: Section 0030 describes how system needs are identified, and how State, MPO, and County needs should be included within supported agency plans. The removal of the southern onsite collector is consistent with this section by identifying the onsite transportation needs based on the specific land use mix proposed for the site. The site continues to provide regional capacity with a more focused and multimodal plan for onsite local access, which is consistent with Section 0030.

660-012-0035 – Evaluation and Selection of Transportation System Alternatives

FINDING: Section 0035 describes how alternative improvement options should be identified. This section describes that system needs should be based on a no-build alternative, consider management/modal options, and improvements to existing facilities. The removal of the second onsite collector street is consistent with this section by developing an onsite layout that provides for the most efficient way to provide access for multimodal users. This minimizes unnecessary road construction and limits pedestrian and bicycle conflict with vehicles.

660-012-0040 – Transportation Financing Program

FINDING: This section describes the need to prepare preliminary project cost estimates and information on the timing of improvements so that agencies can plan for adequate transportation facilities. Timing and finance decisions are not considered land use decisions.

660-012-0045 – Implementation of the Transportation System Plan

FINDING: Section 0045 describes the governments' obligation to amend its land use regulations to implement the TSP, activities that are exempt from land use process, and protective measures to ensure facilities can perform their intended function and serve pedestrian, bicycle, and connectivity needs.

The TIA submitted with this application documented that the transportation network will continue to provide safe and convenient pedestrian, bicycle, transit, and vehicular circulation consistent with the function of affected streets if the southern onsite collector street is not constructed. A single continuous collector street from Brosterhous Road to 15th Street can still be provided while multimodal access to and through the site is achieved. The removal of the southern collector street onsite does not restrict the ability for two collectors to be extended through the Elbow.

660-012-0050 – Transportation Project Development

FINDING: Transportation projects are to occur in coordination with local governments/providers and include a public outreach process. This section also states that projects identified within a TSP are not subject to further justification regarding function, general location, mode, or need. A public outreach process will be conducted

as part of this master planning process. The applicant held a public meeting before filing, and there will be public hearings in front of the Planning Commission and the City Council.

660-012-0055 – Timing of Adoption and Update of Transportation System Plans; Exemptions

FINDING: This section describes the needed adoption of TSPs, exemptions, and amendments. The City of Bend complies with this section through its adopted TSPs and is provided opportunities to amend the TSP.

660-012-0060 – Plan and Land Use Regulation Amendments

FINDING: Section 0060 describes the process for amending a TSP once it has been adopted to include changes in zoning or facility function. This section is relevant, as the proposed amendment will remove the proposed southern onsite collector street, a proposed Major Collector. The removal of the segment of a collector street through the Master Plan Property changes the functional classification of the planned transportation facility.

To the extent that the removal is deemed to have a significant effect, the effect is addressed pursuant to 2(e). The removal of the collector street will benefit other modes as described in findings above, incorporated herein. In summary, the Master Plan provides enhanced multi-modal connectivity in lieu of a second collector street. The site includes an interconnecting series of trails that provide access to pedestrian and bicycle trips both within and through the site. These trails have been coordinated with BPRD to ensure the facilities provided interconnect with regional trails BPRD is pursuing. The Master Plan provides for continuous pedestrian and bicycle connections along 15th Street and Knott Road. A future transit stop is provided on 15th street. These amenities will help provide a complete, connected transportation system for all users in the vicinity with an emphasis on walking and biking to reduce vehicle miles travelled.

In addition the School District is providing improvements to other regionally needed facilities. Specifically, the District is proposing a roundabout at 15th Street and Knott Road, a connection to Brosterhous Road and a full street improvement of 15th Street along the entire frontage of the Master Plan Property in Phase 1, and a roundabout at Brosterhous Road and Knott Road and a roundabout at 15th Street and the new collector street in Phase 2 in addition to Knott Road frontage improvements.

As indicated in the TIA, the existing transportation network with one collector street on the site can accommodate the projected travel demands and continue to serve within the roadway's intended function; therefore, the section of the planned collector street onsite is not needed to serve vehicular traffic. The removal of the onsite collector street complies with the provisions and goals of this section. The removal of this collector street on the site does not eliminate the need for the collector street east of the site serving the transportation system in the southeast portion of the City.

Therefore, these multi-modal and transportation improvements are sufficient to balance the “significant effect”. These multi-modal and transportation improvements will be codified in the 15th Street School Overlay code as a Transportation Mitigation Plan pursuant to BDC 4.7.600D.1, developed collaboratively between the City and the School District. 660-12-0060(2)(e) provides:

(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;

The local jurisdiction is the transportation provider for the studied intersections. These findings and the Council’s ultimate adoption of an ordinance constitute the written statement required by 660-012-00602)(e)(A) whether a significant effect is present or not; therefore, the TPR will be met.

660-012-0065 and 660-012-0070

FINDING: 660-012-0065 (Transportation Improvements on Rural Lands) and 660-012-0070 (Exceptions for Transportation Improvements on Rural Land) apply to rural lands and are not relevant to this amendment.

CHAPTER 4.7 TRANSPORTATION ANALYSIS

4.7.300 Process.

A. The following steps describe the process for assessing the transportation system:

Step 1. The applicant must prepare and submit a Transportation Facilities Report in accordance to BDC 4.7.400 containing the following information organized as follows:

- a. Description of the development;**
- b. Trip generation;**
- c. Transportation demand management;**
- d. Major intersections;**
- e. Trip distribution;**
- f. Transportation facilities evaluation.**

Step 2. The City Engineer will review and evaluate the Transportation Facilities Report in accordance to BDC 4.7.400(D) to determine if a Transportation Impact Analysis is required. If a Transportation Impact Analysis is not required, the applicant may submit a development application including the Transportation Facilities Report. If a Transportation Impact Analysis is required, see Step 3. Step 1 and Step 3 may be combined.

Step 3. If required after Step 2 or if the applicant chooses to do so concurrently with Step 1, the applicant must prepare and submit a Transportation Impact Analysis in accordance with BDC 4.7.500 containing the following information organized as follows:

- a. Study area;
- b. Study analysis years;
- c. Study time periods;
- d. Traffic counts;
- e. Future traffic forecasts;
- f. Operations analysis methodology;
- g. Arterial and collector left turn, median refuge, and right turn lane assessment;
- h. Safety review;
- i. Walking, biking and transit friendly developments;
- j. Proportionate share contribution.

Step 4. If no significant impacts are identified, the applicant may submit a development application including the Transportation Impact Analysis and may also have to pay a proportionate share contribution if required under BDC 4.7.700, Proportionate Share Contribution. Development with significant impacts will be required to propose mitigation in compliance with BDC 4.7.600, Significant Impacts and Mitigation Measures, as part of the development application and may also have to pay a proportionate share contribution if required under BDC 4.7.700, Proportionate Share Contribution. If mitigation measures have been determined for any significant impacts, then the applicant must include the Transportation Impact Analysis with the mitigation measures identified as part of a development application.

FINDING: The Applicant's traffic engineering firm, Kittelson and Associates ("Kittelson" or "KAI") met with City transportation staff on numerous occasions prior to the submittal of the Transportation Impact Analysis (the "TIA"). The City confirmed that a TIA would be required and that the TIA could be combined with the Transportation Facilities Report (the "TFR"). Accordingly, the TIA includes both the TFR and the TIA.

4.7.400 Transportation Facilities Report.

A. Applicability. A Transportation Facilities Report will be required when a development involves one or more of the following:

1. Land division application;
2. Site Plan Review application;
3. Master Plan;
4. Bend Comprehensive Plan map amendment;
5. Other development proposals as determined by the City Engineer.

B. Preparation. The Transportation Facilities Report must be prepared by a licensed Professional Engineer especially qualified in civil or traffic engineering by the State of Oregon. It is the responsibility of the Engineer to provide enough detailed information for the City Engineer to determine if a Transportation Impact Analysis is required.

C. Contents of the Transportation Facilities Report.

- 1. Description of the Development.** Provide a description of the development sufficient to understand the proposed development's size, uses, operations, and interaction with the transportation system. At a minimum, the description must include both qualitative and quantitative descriptions, such as scale of development, day-to-day operations, deliveries, staffing, customer base (visitors, patients, employees, students, etc.), peak hours of operation, and identification of site access and on-site circulation needs.

FINDINGS: The TIA includes a description of the Master Plan in conformance with the requirements of this section.

- 2. Trip Generation.** Provide a trip generation description for the proposal with the following applicable information:
 - a. Trip Credits and Vested Trips.** If trip credits are being utilized from the existing on-site development or from a separate development approval, the trip generation description shall provide supporting documentation of those trip credits, and documentation of the authority to use those trip credits for the development proposal.
 - c. Base Trip Generation Rates.** The City Engineer will determine which of the following to use for the base trip generation rates:
 - i. Local data;**
 - ii. Average trip generation rates from the latest edition of the publication Trip Generation by the Institute of Transportation Engineers (ITE); or**
 - iii. Other method approved by the City.**

The procedure for identifying local trip generation rates shall comply with the guidelines for "Conducting a Trip Generation Study" in the ITE Trip Generation document.

- c. Bend Comprehensive Plan Amendments.** For Bend Comprehensive Plan amendment applications, the trip generation shall represent a reasonable build-out scenario supported through citation of nearby existing site trip generation rates and densities in order to ensure reasonable trip generation comparisons. If the Bend Comprehensive Plan amendment is accompanied by a concurrent Site Plan Review

application, the trip generation for the site plan review application may be utilized instead. The amendment must comply with the Transportation Planning Rule, OAR 660-012-0060.

- d. **Pass-by Trips.** Adjustments for pass-by trips may be applied depending on the adjacent transportation facility and City Engineer approval. The published average pass-by rate will typically be allowed for those land use categories that are provided in the ITE Trip Generation publication. Pass-by trips must always be accounted for in the site access analyses and sufficiently documented. Pass-by trip maps must be created for each pass-by route separately rather than a single combined map.
- e. **Site Internalization/Trip Sharing.** Demonstrate how the site reduces vehicle trips through site design, including parking supply, land use mixes, and densities that promote reduced rates based upon those elements. City review of the proposal based on guidance from the state's Transportation Planning Rule may result in trip generation reductions.

FINDING: The TIA addresses all of the above elements.

- 3. **Transportation and Parking Demand Management (TPDM) Plan.** In compliance with BDC Chapter 4.5, Master Planning and Development Alternatives, Institutional and Employment Master Plans must develop a TPDM Plan. All other development applications may choose to develop a TPDM Plan. The proposed measures of the TPDM Plan will be evaluated to determine trip generation reduction rates. See BDC Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan.

FINDING: In compliance with BDC Chapter 4.5, Kittelson and Associates prepared the Transportation and Parking Demand Management (TPDM) Plan for the School District. Findings related to the TPDM are set forth below under BDC Chapter 4.8.

- 4. **Major Intersections.** From each access point (driveway or street) of the development onto and along the transportation system for a distance of one mile, identify the major (collector and arterial) intersections on a map.

FINDING: The TIA addresses all required intersections within the study area, including 15th Street at Reed Market Road, 15th Street at Ferguson Road, 15th Street at Knott Road, Brosterhous Road at Knott Road and Country Club Road at Knott Road.

- 5. **Trip Distribution.** Provide a trip distribution description and map that contains the following information:
 - a. **Trip distribution assignments that replicate overall origin/destination patterns, including the major intersections identified in subsection (C)(4) of this section.** Existing field count turning movement patterns are

to be used as a guide for trip assignments as appropriate. The assignment should be adjusted to reflect future funded transportation facilities, improvements or services that are authorized in the Transportation System Plan and for which funding is in the City's approved Capital Improvements Program (CIP), the Statewide Transportation Improvement Program (STIP) or other approved funding plan.

- b. Description of truck delivery routes, including over-dimensional loads if applicable, of travel to and from the site for a distance of one mile. The distance may be extended to identify freight routes for freight-intensive sites or those that generate over-dimensional loads.

FINDING: The TIA addresses the trip distribution requirements of this section and, prior to preparation of the TIA, Kittelson and the Applicant discussed the trip distribution model with City staff.

- 3. **Transportation Facilities Evaluation.** The report must evaluate and document the following for compliance with this code, the Transportation System Plan and the City of Bend Standards and Specifications:
 - a. The existing transportation system infrastructure serving the site within the study area. The evaluation must include any future funded transportation system elements included in the City's approved five-year Capital Improvement Program, Statewide Transportation Improvement Program or other approved funding plan.
 - b. The following right-of-way information along the frontage of the proposed development:
 - i. Compliance with the required right-of-way width for the roadway classification.
 - ii. Compliance with the required street widths.
 - iii. Compliance with the required right-of-way or easement width for all trail and access corridors.
 - iv. Compliance with the required street frontage elements including curbs, bike facilities, park strips, sidewalks, driveways and driveway aprons, as well as curb ramps. All applicable elements shall be accessible per the City of Bend Standards and Specifications.
 - c. The following access information:
 - i. Legal access and recorded easements for all driveway and access systems serving the site. For all driveways and new intersections created by the development, intersection sight distance measurements must be provided for all movements into and out of the proposed accesses. Field measurements should be used

wherever possible, although plan measurements from civil drawings may be utilized, particularly for planned intersections or driveways. Measurements need to account for vertical and horizontal curvature, grades, landscaping, and right-of-way limitations. Sight distance measurements shall comply with City of Bend Standards and Specifications for the posted speed of the road or as approved by the City Engineer.

- ii. For arterial and collector street accesses and new street connections document the location of all existing driveways and street connecting points within 300 feet of the frontage of the property. Provide a driveway conflicting movement diagram and assessment showing overlapping conflicts with nearby existing driveways and street intersections.
- d. The following on-site circulation and/or street plan access information:
- i. The proposed street layout and determine if it matches the Transportation System Plan and if it matches into abutting and nearby approved development street layouts, abutting and nearby master plans or special planned areas and requirements of this code and provides for logical orderly development of adjoining properties.
 - ii. Truck circulation and entry/egress assessment including routing, turning movement, and delivery needs for all truck and emergency service vehicles. Identify any proposed special truck accommodations for freight service.
 - iii. Necessary public access, shared access, and shared parking easements are in place or will be required to be in place.
- e. The following existing and planned walking, biking and transit facilities and infrastructure serving the site from each access point (driveway or street) of the proposed development onto and along the transportation system for a distance of one-quarter mile:
- i. Location of all sidewalks, curb ramps, bike lanes, paths, crosswalks, pedestrian signal heads, push buttons, related signage, striping, and transit facilities along with pedestrian paths of travel between the transit facility and the site and to the buildings on the site.
 - ii. Barriers, deficiencies and high-pedestrian demand land uses including schools, parks, parking, senior housing facilities, and transit facilities.
- f. Truck circulation and entry/egress including routing, turning movement, and delivery needs for all truck and emergency service vehicles. Identify any proposed special truck accommodations for freight service.

D. City Review and Evaluation.

- 1. If it is determined that any of the infrastructure or facilities are missing or substandard as identified in the Transportation Facilities Report, then the applicant will be required to comply with BDC Title 3, Design Standards, and with the City of Bend Standards and Specifications.**

FINDING: The TIA identifies all of the relevant transportation and circulation elements as required above and identifies all deficiencies in the City's transportation network.

- 2. Based on information provided in the Transportation Facilities Report, the City Engineer will notify the applicant in writing if the Report is complete, and if not, what additional evaluation information is required. If no additional information is needed, the City Engineer will notify the applicant whether a Transportation Impact Analysis is required. The City Engineer will determine if a Transportation Impact Analysis is required by considering the following criteria:**

a. Operations.

- i. Poor roadway configuration and/or alignment, or capacity deficiencies that are likely to be compounded as a result of the proposed development;**
- ii. Proposed street design creates inadequate circulation and does not minimize cut-through traffic or accommodate orderly development of adjacent properties;**
- iii. It is anticipated that the current or projected increase in trip generation of the roadway system in the vicinity of the proposed development will exceed the minimum operational criteria in BDC 4.7.500(B)(6); and**
- iv. Potential improvements to accommodate freight.**

b. Safety.

- i. Existing safety issues;**
- ii. Projected increase in trip generation that may have the potential to impact the safety of the existing transportation system; and**
- iii. A traffic safety hazard is created or exacerbated on any street, roadway segment, or intersection within the study area as a direct result of the proposed development.**

c. Walking, Biking and Transit Facilities.

- i. Potential impacts to priority walking and biking routes, school routes, transit connectivity and multimodal street improvements identified in the Transportation System Plan;**

- ii. **Bike access to site has gaps and/or the bike lane is dropped, missing, or otherwise unusable; and**
 - iii. **Identified transit facilities and/or their pedestrian paths of travel between the transit facility and the site and to the buildings on site are not complete and additional analysis may be required.**
- 3. **In all instances, a Transportation Impact Analysis must be submitted for any proposed development that:**
 - a. **Considers modification, installation, or removal of any traffic control device; or**
 - b. **Forecasts net increase in site traffic volumes greater than 100 average daily vehicle trips or off-site major intersections are impacted by 15 or more peak-hour vehicle trips per lane group within one mile.**

FINDING: As discussed above, the City and the Applicant agreed that a TIA would be required for this project. The TIA incorporates comments received from the City prior to preparation of the TIA.

4.7.500 Transportation Impact Analysis.

A. Preparation. If the City Engineer determines that a Transportation Impact Analysis is required, it must be prepared by a licensed professional engineer especially qualified in traffic engineering by the state of Oregon. The applicant's engineer shall consult with the City Engineer prior to preparing the Transportation Impact Analysis to determine the level of details to be included in the analysis.

B. Contents of the Transportation Impact Analysis Report.

- 1. **Study Area.** The study area must include all site access and adjacent roadways and intersections. The study area must also include all off-site major intersections impacted by 15 or more peak-hour vehicle trips per lane group within one mile of the site. The City Engineer must approve the defined study area prior to commencement of the Transportation Impact Analysis. The City Engineer may choose to waive the study of certain intersections if deemed unnecessary.

FINDING: Consistent with this section, the study area for the TIA consists of all site access points, adjacent roadways and intersections, and all off-site intersections impacted by 15 or more peak-hour vehicle trips per lane group within a one-mile driving distance of the site.

- 2. **Study Analysis Years.** The analysis shall be performed for all study roadways and intersections for the following years with and without the proposed development:

- a. Existing conditions (current year);
- b. Year of completion of the final phase (for phased projects, intermediate phases may be required to be analyzed); and
- c. For an amendment to a functional plan, the Bend Comprehensive Plan, or a land use regulation the analysis year shall reflect the Transportation Planning Rule OAR 660-012-0060 requirements but in no case shall the analysis year be less than 10 years from the date of the preparation of the Transportation Impact Analysis. An analysis for an amendment to a functional plan, the Bend Comprehensive Plan or land use regulation must use the City of Bend's model as determined by the City Engineer.

FINDING: The master plan includes:

- New High School – 1,600 student capacity
 - Opening in the 2021/2022 school year
- New Middle School – 800 student capacity
 - Opening as soon as the 2027/2028 school year
- Tamarack Facility – 50 student capacity (25 high school, 25 middle school)
 - Opening as soon as the 2027/2028 school year

The 80-acre site will be developed in phases, with a 1,600 student high school funded and expected to be open for the 2021/2022 school year. The remaining facilities on the site are anticipated at the earliest, at the beginning of the 2027/2028 school year. The timing of the remaining facilities is dependent on enrollment growth and Bond passage. If the Site Plan Review applications for the middle school or other facilities are submitted after December 31, 2027, then additional transportation analysis will be required.

3. **Study Time Periods.** Within each study year, an analysis must be performed for the following time periods:
 - a. Weekday p.m. peak hour (i.e., one hour between 4:00 p.m. and 6:00 p.m.); and
 - b. Additional time periods may be required based on City Engineer direction for the following:
 - i. Peak hour of the generator (i.e., peak hour for the proposed development);
 - ii. Peak hour of nearby generator sites (e.g., a non-school site may study a nearby school's peak hour); and
 - iii. Peak hour of cumulative nearby generators.
4. **Traffic Counts.** Once the study periods have been determined traffic counts must be done as follows:
 - a. Counts must be taken Tuesday through Thursday;

- b. Counts may need to be adjusted as required by the City Engineer to reflect seasonal, schools, or other variations in traffic;
- c. Unless approved by the City Engineer, counts must be no more than 12 months old from the date of development application submittal;
- d. Additional hours of classified turning movement counts may be required based on City Engineer direction for the following:
 - i. To determine compliance with traffic signal or all-way stop warrants; or
 - ii. To determine the extent of over-capacity conditions.
- e. Counts must include passenger cars, trucks, bikes and pedestrians. If high pedestrian and/or bike traffic is expected to be generated by the proposed development, as determined by the City Engineer, the Transportation Impact Analysis must consider improvements and connectivity to existing and proposed facilities.

FINDING: The TIA Traffic counts were collected in June 2017 when school was in-session and no conditions were present that would affect normal travel patterns at the study intersections during the following periods:

- 7:00-9:00 AM (Morning Peak Period)
- 2:00-4:00 PM (Afternoon Peak Period)
- 4:00-6:00 PM (Evening Peak Period)

5. Future Traffic Forecasts.

a. Traffic Forecast for Projects and Project Phasing.

- i. Traffic forecast shall include all projects within the study area that have received approvals for development (master plans, land divisions, site plans, conditional use permits, and similar approvals). They shall be identified, and their traffic generation included as cumulative traffic in the study. Proposed projects in the study area that have been submitted to the City for processing, but not yet approved, may also be included at the discretion of the City Engineer. The City Engineer will also specify an annual growth rate to be applied to existing volumes to account for other general traffic growth in and around the study area.
- ii. For phased developments, the traffic forecasts for the year of completion of each phase shall be calculated to be field counts plus traffic from projects within the study area that have received approvals for development (approved master plans, land divisions, site plans, conditional use permits, and similar approvals), plus an annual growth factor which would factor the existing counts up to the analysis year.

b. Build-Out Studies for Bend Comprehensive Plan Amendments and Zone Changes.

- i. Traffic projections for build-out scenarios must utilize the current transportation model used by the City or other approved model as approved by the City Engineer. The applicant's Engineer shall use the model projections post processed using NCHRP 255 as the basis for determining turning-movement volumes for the required intersection analysis. A manual assignment of the project traffic added to the build-out traffic may typically be used to determine total future traffic, as approved by the City Engineer.**

FINDING: The TIA explains that, for purposes of calculating background traffic, the TIA takes into account in-process and future developments. The TIA addresses the phasing plan and forecasts traffic and related impacts based on the phasing schedule set forth in the Master Plan.

4. Operations Analysis Methodology.

a. The operations analysis must include the following:

- i. Software inputs must utilize field conditions (e.g., measured field peak hour factor, saturation flow rates, lane utilization percentages, lane configurations, actual signal phasing and timing, and truck percentages). Other references and the City of Bend Standards and Specifications may be required to be utilized as approved by the City Engineer;**
- ii. An operations analysis for roundabouts performed in conformance with the City's Roundabout Operational Analysis Guidelines;**
- iii. An operations analysis for traffic signal and stop controlled intersections performed in conformance with the most recent version of the Highway Capacity Manual (HCM), the City of Bend Standards and Specifications or other reference approved by the City Engineer;**
- iv. Identify intersection operations in a table including volume to capacity ratios, delay, and queuing for critical movements as well as for the intersection as a whole including the following:**
 - (A) Delays for two-way and four-way stop controlled study intersections including delays for lane groups, approaches, and intersections as a whole;**
 - (B) Ninety-fifth percentile queue projected to block nearby critical system elements such as adjacent traffic signals, roundabouts, or at-grade rail crossings, or such that line of sight safety issues are identifiable; and**

(C) Volume to capacity ratio for any approach or for the intersection as a whole for signalized and roundabout controlled study intersections.

- v. Microsimulation modeling and analysis using a calibrated model for the transportation corridor as defined must be performed for interconnected traffic signals. Calibration must include field measured saturation flow rates, existing timing and phasing rotations, peak hour factors, available queue storage and queuing; and**
- b. The operations analysis must use existing transportation system conditions (intersection control type and street roadway geometry). Committed funded transportation facilities may also be considered in the analyses. Committed funded transportation facilities means future funded transportation facilities, improvements or services that are authorized in a local transportation system plan and for which funding is in the approved Capital Improvements Program (CIP), the Statewide Transportation Improvement Program (STIP) or other approved funding plan.**
- c. Operations Standards. The intersection analyses provided in the Transportation Impact Analysis will be evaluated for safety deficiencies and queuing deficiencies and compliance with this code, the Transportation Planning Rule, the Bend Urban Area Transportation System Plan, any applicable development agreements, and regional transportation system plans. Intersections under the jurisdiction of the Oregon Department of Transportation shall also be evaluated using the ODOT Analysis Procedures Manual for compliance with the Oregon Highway Plan. Intersections under the jurisdiction of Deschutes County that are outside the Urban Growth Boundary shall also be evaluated for compliance with Deschutes County Code. Intersections that do not comply with the criteria listed in those documents will be considered to have significant impacts for purposes of BDC 4.7.600.**

FINDING: The TIA includes the operational analysis and elements as required under the above sections.

- d. Projects are considered to have significant impacts on the arterial-collector system for purposes of BDC 4.7.600 as identified below:**
 - i. Two-Way Stop Control. Average delay for the critical lane group for approaches of an arterial or collector to another arterial or collector with greater than 100 peak hour trips is greater than or equal to 50 seconds during the peak hour;**

- ii. **All-Way Stop Control. Average delay for the collector to collector and higher order intersection as a whole is greater than or equal to 80 seconds during the peak hour;**
- iii. **If the ninety-fifth percentile queue exceeds the existing available storage or is projected to block nearby critical system elements such as adjacent traffic signals, roundabouts, or at-grade rail crossings, or such that line of sight safety issues are identifiable; or**
- iv. **For signalized and roundabout collector to collector and higher order intersections under the jurisdiction of the City, the volume-to-capacity ratio for the intersection as a whole is greater than or equal to 1.0 during the peak hour.**

e. Intersections under ODOT Jurisdiction.

- i. **In addition to the City operations standards, intersections on ODOT facilities will also be required to comply with ODOT mobility targets. Coordination with ODOT is required in the study process.**

FINDING: As described in the TIA in greater detail, the overall project is anticipated to have significant impacts on the arterial-collector system at several intersections. With respect to ODOT, there are no intersections on ODOT facilities within the approved study area.

7. Arterial and Collector Left Turn, Median Refuge, and Right Turn Lane Assessment. Meeting the following criteria does not automatically require a pedestrian refuge or a turn lane to be installed. The City Engineer has the final determination during the review of proposed mitigation on the installation of a pedestrian refuge or a turn lane based on safety and operations of the system.

- a. **A median refuge assessment and a left and right turn lane assessment on arterial and collector streets must include the following information:**
 - i. **An assessment using Table 11 of the Safety Effects of Marked Versus Unmarked Crosswalks at Uncontrolled Locations Final Report and Recommended Guidelines (FHWA Publication Number HRT-04-100, September 2005);**
 - ii. **An assessment using the Left and Right Turn Lane Criteria in the ODOT Analysis Procedures Manual (APM); and**
 - iii. **Provide the ninety-fifth percentile queue length for left, right and through turning vehicles.**
- b. **Projects are considered to have significant impacts for purposes of BDC 4.7.600 if Table 11 of the Safety Effects of Marked Versus Unmarked Crosswalks at Uncontrolled Locations Final Report and Recommended Guidelines identifies a candidate site(s) for the**

installation of a marked crosswalk or other needed pedestrian improvements at uncontrolled locations.

- c. If the proposed development meets the criteria in the APM or exceeds the ninety-fifth percentile queue length for left or right turning vehicles, then the City Engineer has the final determination whether it is a significant impact for purposes of BDC 4.7.600.**

FINDING: The TIA includes the required assessment on arterial and collector streets for median refuge islands, left-turn lanes, and right-turn lanes. Based on forecast traffic volumes, Tables 7 through 9 of the TIA identify the need for turn lanes at the school access points considering 2021 Build Conditions. Tables 10 through 12 of the TIA shows the turn lanes needed to accommodate 2027 Build Conditions. As shown, a left-turn lane will be needed at each of the schools' access points when the campus is operational. Given the spacing between the access points on 15th Street, the TIA recommends a two-way left-turn lane along the site frontage in lieu of northbound left-turn lanes at each location. Further, a right-turn lane is only warranted at the northernmost access on 15th Street.

8. Safety Review.

- a. For the study area or those locations required by the City Engineer, document and review crash data from the ODOT Crash Analysis and Reporting Section (ODOT-CARS). Crash data can be requested directly from ODOT or the Bend Urban Area Metropolitan Planning Organization. Crash data must provide a five-year history of ODOT reported crashes and must be presented in tabular and crash diagram form. Crash data must include the following information:**
 - i. Crash histories and a calculated crash rate;**
 - ii. Crash patterns (was there an identifiable pattern to the crashes), crash types, and crash patterns affecting proposed development trips; and**
 - iii. Whether any location within the study area is included within published safety studies, such as the Oregon Department of Transportation Safety Priority Index System lists, ODOT Safety Action Plan, or the City's Arterial and Collector Multimodal Safety Study.**
- b. Projects are considered to have significant impacts for purposes of BDC 4.7.600 if there is a crash pattern, one or more fatalities or severe injury crashes, one or more reported crashes per 1,000,000 entering vehicles, or if it is included within a published safety study.**

FINDING: Table 13 of the TIA summarizes the total crashes, severity of crashes, and crash rate per million entering vehicles (MEV) at the study intersections. If an intersection did not experience any crashes during the study period, it was not listed.

According to BDC 4.7.500.(B)(8)(b), “projects are considered to have a significant impact if there is a crash pattern, one or more fatalities or severe injury crashes, one or more reported crashes per 1,000,000 entering vehicles, or if it is included within a published safety study.” None of the intersections experienced a crash rate above this threshold.

9. Walking, Biking and Transit Friendly Developments.

- a. Public and Private Schools (K-12), Colleges and Universities. Provide an analysis of walking, biking and transit facilities along and across arterial and collector roadways which accommodate safe, accessible and convenient access to and from the school. Elementary schools shall analyze the facilities within one mile of the school. All other schools, colleges and universities shall analyze the facilities within 1.5 miles of the school.**
- b. All Other Uses. Provide an analysis of walking, biking and transit facilities, including street crossings and access ways, which accommodate safe, accessible and convenient access from within new residential areas, planned developments, shopping centers, and commercial districts and residential areas, parks, shopping centers and transit facilities within one-quarter of a mile of the development. Residential developments must also provide the analysis to elementary schools within one mile and all other schools, colleges and universities within 1.5 miles of the development.**
- c. Projects are considered to have significant impacts for purposes of BDC 4.7.600 if:**
 - i. A project fails to provide accessible and safe pedestrian and bike connections (i.e., curb extensions, pedestrian refuges, striping and/or signage) to schools, residential areas, parks, shopping areas, transit facilities and adjacent streets; or**
 - ii. The project disrupts existing or planned biking or walking facilities or conflicts with the adopted Bend Urban Area Bicycle and Pedestrian System Plan.**

FINDING: The TIA, beginning at page 59, identifies and evaluates the multi-modal network on the proposed Master Plan site as well as the connections to the wider network required by this section. The study identifies deficiencies in the system and recommends improvements to complete the nearby system.

10. Proportionate Share Contribution. Provided proportionate share calculations in compliance with BDC 4.7.700, Proportionate Share Contribution.

FINDING: In the development of the TIA, the City has not identified any intersection within the study area that is subject to the proportionate share contribution requirements of BDC 4.7.700.

4.7.600 Significant Impacts and Mitigation Measures.

- A. Applicability.** When significant impacts are identified as part of the Transportation Impact Analysis, mitigation measures must be included to address those impacts.
- B. Preparation.** Prior to proposing mitigation, the applicant's engineer shall consult with the City Engineer regarding potential mitigation options. The proposed mitigation and a concept-level drawing of the final intersection form must be prepared and submitted prior to a development application being deemed complete, unless approved otherwise by the City Engineer. Mitigation measures may be proposed by the applicant or recommended by ODOT or Deschutes County in circumstances where a state or county facility will be impacted by a proposed development. Deschutes County and/or ODOT must be consulted to determine if improvements proposed for their facilities comply with their standards and are supported by the respective agencies.
- C. Intersection Operation Standards.** If the Transportation Impact Analysis shows that the operation standards at the intersection will be exceeded or if the intersection already exceeds the standards, the applicant will be required to provide mitigation measures in compliance with subsection (F) of this section impacts.

RESPONSE: The TIA identified several intersections within the approved study area that will exceed operational standards with buildout of the project. As required by this section, in consultation with the City Engineer, the Applicant has proposed mitigation to remedy the significant impacts. These mitigation measures are outlined in the Transportation Mitigation Plan of the 15th Street School Master Plan Overlay code (BDC Table 2.7.3690).

D. Unique Situations.

- 1. Development proposals within Master Planned Developments or Special Planned Areas,** as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, may exceed the operation standards at affected intersections as long as the proposed development is consistent with the approved Transportation Mitigation Plan.
- 2. Widening to accommodate additional travel lanes will not be permitted in the following situations:**

- a. Intersections and streets that are already constructed consistent with the Bend Urban Area Transportation System Plan (TSP) including streets identified by the TSP as “not being authorized for lane expansion”;
- b. Intersections and streets located within or directly adjoining the City’s Central Business District or historic district;
- c. Where no physical mitigation is available to improve intersection operations to the performance standard; or
- d. Where improvements may result in unacceptable tradeoffs to other modes of travel.

FINDING: The 15th Street School Master Plan Overlay Zone contains a Transportation Mitigation Plan in conformance with this section. Via adoption, and future compliance with the Plan, the City has determined that all significant impacts have been adequately mitigated.

E. Timing of Improvements.

- 1. Unless a unique situation is identified in subsection (D) of this section, Unique Situations, mitigation shall be in place at the time of final platting of a land division, or at the time of final occupancy for commercial, industrial, institutional, mixed use, multi-family housing, triplex buildings and all other development. Mitigation for phased developments must be in place at the time specified in the approved decision.

Exception: Construction of emergency services access requirements may be needed earlier.

- 2. Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, shall refer to the Plan for the extent and timing of improvements.

FINDING: The TIA identifies the required improvements as well as the timing of the construction of those improvements. The Transportation Mitigation Plan in the Overlay Zone code contains all required future improvements that are required with each phase.

F. Mitigation Measures. Mitigation measures must consider all users and include all or a combination of the following mitigation measures as approved at the discretion of the City Engineer, to mitigate the impacts of the proposed development.

1. Construct Transportation Mitigation.

- a. The intersection form will be determined through the City’s Intersection Form Evaluation Framework located in the City’s Roundabout Evaluation and Design Guidelines document.

- b. Mitigation must include the construction of the full intersection infrastructure and control required to bring the intersection into compliance with this code, the Bend Urban Area Transportation System Plan, and the City of Bend Standards and Specifications. Final intersection improvements, including type and geometry, will be determined by the City Engineer.**
- c. Intersection improvements must improve corridor operations in terms of progression and reduced corridor delay, and must be shown to cause no significant adverse impact to the corridor during integrated corridor operations.**
- d. Mitigation in the form of street widening must be constructed in conformance with the street classification of the Bend Urban Area Transportation System Plan and the cross-sections contained in this code or the City of Bend Standards and Specifications. As part of the development review process, the City Engineer may approve an alternate cross section if it meets operations standards.**
- e. Intersection and street improvements must balance operations and safety for all modes of travel. Walking and biking accommodations must be considered as part of any improvement.**

FINDING: The TIA identifies the required mitigation and has consulted with the City regarding the mitigation requirements, which are outlined in the City's Transportation Review memo BP-18-1736. As discussed in the TIA, the Applicant will construct improvements at the 15th Street/Knott Road intersection in excess of what would otherwise be required to mitigate the project's impacts, in exchange for not making improvements to the Brosterhous Road/Murphy Road intersection and enlarging the 15th Street/Reed Market Road roundabout. In addition, the Applicant will be constructing 15th Street along the entire frontage of the Master Plan site with the high school and deferring the construction of Knott Road frontage until Phase 2 at the City's request in order to have a complete corridor along 15th Street.

All off-site transportation mitigation requirements are listed by phase in Table 2.7.3690 of the 15th Street School Master Plan Overlay code. This table summarizes the off-site mitigation measures that are required per the City's Transportation Review memo.

2. Construct Interim Transportation Mitigation.

- a. Construct Interim Mitigations. Interim mitigation measures may include but are not limited to upgraded operations controls, interconnected signals, signage, striping, pedestrian refuge, etc.**

FINDING: No interim transportation improvements are planned.

- b. Improved signal timing and phasing may be achieved by installing the necessary communications and field equipment that would provide the increased capacity necessary to achieve the operation standards. For this to be acceptable as an interim measure, the applicant shall**

demonstrate through a field calibrated corridor operations model approved by the City Engineer that the proposed signal timing and phasing will provide the additional capacity necessary to meet the concurrency standards. Timing and phasing communications and field equipment are subject to approval of the City Engineer and/or ODOT.

FINDING: No signal timing adjustments are contemplated or required.

- 3. Transportation and Parking Demand Management (TPDM) Plan. Implement an approved TPDM Plan in compliance with BDC 4.7.400(C)(3), Transportation and Parking Demand Management (TPDM) Plan and BDC Chapter 4.8. Transportation and Parking Demand Management (TPDM) Plan.**

FINDING: The School District has developed a TPDM Plan, which was submitted with this application.

- 4. Walking, Biking and Transit. In addition to accommodating walking and biking as part of the intersection and street improvement mitigation, walking, biking and transit improvements may be considered as potential mitigation measures, particularly when they reduce the number of study area generated vehicle trips. Mitigation improvements may include accessible sidewalks, pedestrian refuges, bike lanes, curb extensions, traffic control devices, curb ramps, striping, signage and other elements. Negative impacts of intersection and street mitigation measures on walking and biking infrastructure, such as on crosswalks and roadway shoulders, must be avoided, minimized, and/or mitigated themselves. The City may require accessibility improvements, including compliant curb ramps along the proposed development and including safe and accessible paths of travel to and from the development, depending on the type and impacts of the development.**

FINDING: The District is proposing a significant amount of walking, biking and transit improvements, both internal to the Master Plan site and on 15th Street, which will serve to reduce the number of vehicle trips in the area by making alternative modes of transportation more convenient for students, employees, and surrounding residents.

- 5. Payment in Lieu of Construction. If infrastructure construction is required above, the City may elect to accept a payment in an amount equal to the cost estimated by the City for the design, right-of-way acquisition, utility relocation and construction cost of the improvements in lieu of actual construction. The City will use these funds on the impacted corridor to improve multi-modal safety, operations and to relieve congestion. Once the City accepts a payment in lieu of construction, the proposed development may proceed even if the impact of the proposed development causes the operation standards to be exceeded.**

FINDING: The School District does not contemplate the payment of any funds in lieu of construction of off-site mitigation.

- 6. Alternate Location Mitigation. Mitigation strategies at alternative locations or affecting alternative modes of travel may be proposed by the applicant and may be accepted by the City Engineer. At a minimum, the proposed improvements should meet the following criteria:**
- a. The overall improvements proposed should be proportional to the impacts created by the application;**
 - b. The proposed improvement strategies must address a critical need or issue within the study area such as safety, connectivity, system capacity, and parallel routes;**
 - c. The locations proposed for improvement must be within the study area;**
 - d. The proposed improvements must not already be, or be in the process of being, a condition of approval of another development; and**
 - e. All applicable analysis requirements for the primary location(s) shall apply to the analysis of the alternative location(s).**

FINDING: The TIA identified two intersections that will fail to meet mobility standards with the project upon buildout of Phase 1 (the high school): the Brosterhous Road/Murphy Road intersection and the Brosterhous Road/Knott intersection.

The City is in the process of an overall Murphy Corridor project which will involve the construction of an intersection at Murphy Road and Brosterhous Road. In lieu of making improvements to this intersection, the City will require improvements at the 15th Street/Knott Road intersection in Phase 1, closer to the project site, in excess of what is required to mitigate the impacts of the project on this intersection (the intersection would not fail until buildout of Phase 2).

Rather than having the District improve the Brosterhous Road/Knott Road intersection in Phase 1, City staff has determined that improving the 15th Street/Knott Road intersection in Phase 1 addresses a critical need or issue within the study area for safety, connectivity, and system capacity. Although the high school development does not cause the 15th Street/Knott Road intersection to fail, the District is willing to provide this mitigation in lieu of the Brosterhous Road intersection improvements with the high school development. In order to postpone the construction of the Brosterhous Road/Knott Road roundabout to Phase 2, the applicant must obtain the right-of-way and construct the new collector road to Brosterhous Road in Phase 1. The construction of the collector street between Brosterhous Road and 15th Street is intended to divert the school-related traffic from the Brosterhous Road and Knott Road intersection.

This mitigation, along with the other significant impact mitigation discussed above and contained in the Transportation Mitigation Plan (e.g., TPDM, alternate mobility improvements, etc.), have been determined by the City to be roughly proportional to the impacts of the development.

7. **Suspend the Mobility Standard.** The City Manager may suspend the mobility standard for a particular intersection or series of intersections under the City's jurisdiction when the intersection(s) may be in a condition that interim mitigation is not practical due to the large scale of the improvements or the City desires to maintain the current intersection's form. In such cases, developments impacting the intersection(s) do not have to analyze or mitigate impacts on the intersection(s). The City Manager will issue a written statement providing the duration and reason for the suspension of the mobility standard, and will maintain a list of all intersections where the mobility standard has been suspended. Suspending the mobility standard is not a limited land use decision or a land use decision.

FINDING: Because the master plan area is subject to an approved Transportation Mitigation Plan under BDC 4.7.600D, the suspension of mobility standards at affected intersections is not necessary.

4.7.700 Proportionate Share Contribution.

Each proposed development that submits a Transportation Impact Analysis will be required to contribute a proportionate share of the costs of the final improvements to the transportation system that will be required as a result of the cumulative impact that various developments combined will have on the intersections. Developments must contribute their proportionate share or contribution for all intersections within the analysis area. The City may use the proportionate share contributions for multi-modal improvements on the transportation corridor and surrounding system if the improvement project benefits safety and operations and helps to reduce congestion. Proportionate share calculations must be submitted with the Transportation Impact Analysis. Proportionate share calculations are calculated based on the ratio of development trips to growth trips for the anticipated cost of the full Bend Urban Area Transportation System Plan intersection infrastructure. The formula is provided below:

Proportionate Share Contribution = [Net New Trips/Planning Period Trips– Existing Trips)] x Estimated Construction Cost

Net new trips are the total entering trips that are proposed to be added to the analysis area intersection by the development.

Exception: Intersections within the analysis area that are included in the City's Capital Improvement Plan or that are on the most current System Development Charge (SDC) fiscally constrained project list are exempt from proportionate share contribution.

FINDING: The City has not identified any intersections in the study area that would be subject to the proportionate share contribution.

CHAPTER 4.8 TRANSPORTATION AND PARKING DEMAND MANAGEMENT (TPDM) PLAN

4.8.200 Applicability.

In compliance with BDC Chapter 4.5, Master Planning and Development Alternatives, Institutional and Employment Master Plans must develop a TPDM Plan. All other development applications may choose to develop a TPDM Plan.

4.8.300 Preparation.

The TPDM Plan must be prepared by a transportation planner, or licensed professional engineer especially qualified in civil or traffic engineering by the State of Oregon.

4.8.400 Review Process.

The TPDM Plan must be reviewed concurrently with an associated development application using the review procedures required for the development application.

FINDING: Kittelson & Associates, Inc. prepared the TPDM Plan for the 15th Street School Master Plan. Further, Matt Kittelson, a licensed professional engineer in the State of Oregon, supervised the preparation of the TPDM plan. The TPDM is included as a part of the present Master Plan application and will therefore be reviewed as part of the overall development review.

4.8.500 Submittal Requirements.

In addition to the submittal requirements of Chapter 4.7, Transportation Analysis the proposed TPDM Plan must include the following information as deemed applicable by the Development Services Director:

TPDM goals, objectives and policies.

FINDING: The TPDM includes a section related to the goals, objectives and policies of the TPDM.

Proposed types and approximate number of users (e.g., residents, employees, students, customers, patients, visitors, clients, and deliveries).

FINDING: TPDM includes a section identifying the types on number of users including employees and students.

Anticipated mode of travel by users (vehicle, biking, walking and transit).

FINDING: The TPDM includes a section identifying the anticipated mode of travel by all users.

Anticipated parking demand by time of day and/or demand by user.

FINDING: The anticipated parking demand will be during school hours, currently from approximately 7:45 to 2:45 and the 15-30 minutes before and after school.

Anticipated parking utilizing shared spaces.

FINDING: There will be shared parking among the various users of the site, with the buses separated from the car traffic. Generally, the student and staff parking areas will be separated, but shared parking will be generally allowed.

Proposed number of on and offsite parking spaces, including carpool, vanpool, car share and bike parking.

FINDING: The TPDM identifies the required number of parking spaces under the BDC..

Parking and trip demand analysis.

FINDING: The TPDM includes a discussion regarding parking and trip demand analysis. In large part, the TPDM mirrors the demand/trip analysis set forth in the TIA.

Estimated daily trip generation and peak hour of trips for the proposed use based on the ITE trip generation rates (note: this may not be the PM Peak of 4:00-6:00 p.m.; e.g., an institution of higher education may have a peak hour of use that is different than the PM peak hour).

FINDING: The TPDM utilizes the same base data set forth in the TIA to estimate daily trip generation and peak hour trips.

Proposed trip and parking reduction measures in BDC Table 4.8.500 according to the following requirements:

- 1. A maximum trip generation reduction rate of 25 percent for the peak hour of use will be considered for combined Trip Reduction Measures. If the TPDM Plan including the applicant's proposed trip reduction measures and rates are approved by the City, the approved trip generation reduction rates will be applied to the applicant's Transportation Facilities Report in BDC Chapter 4.7 Transportation Analysis.**
- 2. A minimum of three parking reduction measures must be proposed.**

3. **The number of vehicle parking spaces may be reduced up to 20 percent of the minimum requirements in BDC Table 3.3.300, Required Off-Street Vehicle Parking Spaces.**

FINDING: Table 6 of the TPDM identifies the Trip Reduction Measures to be implemented by the School District. For purposes of trip reduction, the trip generation forecast is reduced by an amount up to 25% based on approved TDM measures. No reduction in vehicle parking is proposed.

A description of how the proposed measures will reduce the development's trips and parking demands.

FINDING: The TPDM describes how the TDM measures will reduce trip and parking demand on the Master Plan site.

A description of how the proposed measures will be achieved and maintained over the life of the project.

FINDING: The following facility measures will be employed. These measures will be confirmed as part of future Site Plan Review applications.

- A minimum of 10% of vehicle parking spaces will be reserved with designated signage for carpool, vanpool and car share vehicles, with a minimum of one space required. The carpool, vanpool and car share parking spaces must be provided free of charge and located at the most desirable on-site location.
- On-site showers and lockers free of charge will be provided.
- Enclosed bike lockers and/or fenced, covered bike storage areas and/or a designated bike storage area inside a building will be provided.
- Twice as many covered, secured bike parking racks or facilities as required by BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking, will be provided.
- Participation in a Transportation Demand Management (TDM) incentive program recognized by the City (e.g., Commute Options Partner Program).

Site plan that designates the following TPDM measures, if applicable:

External: Carpool, vanpool and car share parking areas, paid parking areas, bike parking areas, and land dedicated, planned or for existing transit facilities and bus shelters.

Internal: Showers/lockers, bike storage areas, information boards/kiosks and on-site support services.

FINDING: As discussed above, conditions of approval may be imposed at site plan review to ensure that the internal TDM measures proposed are included, as relevant, at each subsequent site plan approval.

TPDM Plan Designated Contact. The contact is responsible for administering carpool and vanpool ride-matching services and promotional programs and updating information (e.g., transit routes and schedules; carpool, vanpool and car share information; bike lanes, routes and paths and facility information; and alternative commute subsidy information) on a board/kiosk that is located in a prominent location. The City must be provided with a current name and phone number of the designated contact.

FINDING: The TPDM identifies the Building Principal as the TDPM designated contact.

Enforcement and monitoring program.

FINDING: The selected TDM measures are objective standards that are easily enforced through conditions of approval at subsequent site plan approval stages.

4.8.600 Approval Criteria.

A. In addition to the approval criteria for the development application, the review authority of the development application will approve, approve with conditions or deny the TPDM Plan based on all of the following criteria:

The TPDM Plan demonstrates that the measures provide transportation options and reduce the demand for parking; and

FINDING: The TPDM has utilized the options provided in the Bend Development Code, which were adopted based on analysis that such measures will provide transportation options and reduce the demand for parking.

The TPDM measures are feasible and appropriate for the project, considering the proposed use or mix of uses and the project's location, size, and hours of operation.

FINDING: As discussed above, the School District has selected the facility provision measures that are the most easily enforceable and feasible measures. For example, it is both feasible and enforceable to provide on-site showers and lockers free of charge. Similarly, the provision of twice the required enclosed bike lockers and/or fenced, covered bike storage areas is feasible and enforceable. The School District will also participate in the Commute Options Partner Program as it has at other schools.

4.8.700 Ongoing Participation.

The applicant is required to commit to ongoing participation in the TPDM Plan in its deeds, Codes, Covenants and Restrictions and is subject to on-going monitoring and tracking of the activities undertaken to implement the approved measures and their results.

FINDING: The School District will not employ the use of deeds, codes, or CC&Rs to enforce the TPDM program. Conditions of approval for specific site plan applications can impose the facility obligations and participation with Commute Options Partner Programs at the time of Site Plan Review.

4.8.900 Reporting.

At the request of the City, a report documenting the TPDM plan's activities undertaken to implement the approved measures and their results must be submitted to the Development Services Director at the responsibility of the applicant.

FINDING: The City will require an annual TDPM report summarizing the management and operations activities of the transportation and parking system; current TPDM measures; performance against the University's goals, objectives and measures; actions taken during the year; and recommendations going forward. Section N of the TPDM outlines these monitoring measures.

CONCLUSIONS: Based on the findings in this report, the BDC text amendment to create the 15th Street School Master Plan Overlay Zone, the Comprehensive Plan Amendment and Zone Change for the transfer of residential densities within the 15th Street Opportunity Area, and the TSP Amendment to remove a planned collector street on the site, meet all applicable BDC criteria, policies of the Bend Urban Area Comprehensive Plan, Oregon Statewide Planning Goals, and the Transportation Planning Rule.

RECOMMENDATION: Staff recommends that the Planning Commission adopt the findings and conditions of approval in this staff report and pass a motion recommending that the City Council adopt an ordinance for: a text amendment to the Bend Development Code to create the 15th Street School Master Plan Overlay Zone, a Comprehensive Plan Amendment and Zone Change for the transfer of residential densities within the 15th Street Opportunity Area, and a TSP Amendment to remove a planned collector street on the site, as contained in Exhibit B.

Recommended Condition of Approval: Per BDC 4.5.200.E.3.v.(B)(2)(a), the J.L. Ward Company, as the owner of the receiving property of a density transfer, must enter into a written agreement in a form acceptable to the City that will be binding upon the parties to the agreement and all successors in interest and that will run with the land. The agreement must be recorded prior to the final occupancy of the high school.

Written by: Karen Swenson, AICP, Senior Planner

Reviewed by: Colin Stephens, AICP, Planning Manager